

113TH CONGRESS  
1ST SESSION

# H. R. 3102

To amend the Food and Nutrition Act of 2008; and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2013

Mr. LUCAS introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Education and the Workforce and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Food and Nutrition Act of 2008; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Nutrition Reform and Work Opportunity Act of 2013”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is the following:

Sec. 1. Short title; table of contents.

TITLE I—SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

- Sec. 101. Preventing payment of cash to recipients of supplemental nutrition assistance benefits for the return of empty bottles and cans used to contain food purchased with benefits provided under the program.
- Sec. 102. Retailers.
- Sec. 103. Enhancing services to elderly and disabled supplemental nutrition assistance program participants.
- Sec. 104. Food distribution program on Indian reservations.
- Sec. 105. Updating program eligibility.
- Sec. 106. Exclusion of medical marijuana from excess medical expense deduction.
- Sec. 107. Standard utility allowances based on the receipt of energy assistance payments.
- Sec. 108. Eligibility disqualifications.
- Sec. 109. Repeal of State work program waiver authority.
- Sec. 110. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.
- Sec. 111. Improving security of food assistance.
- Sec. 112. Demonstration projects on acceptance of benefits of mobile transactions.
- Sec. 113. Use of benefits for purchase of community-supported agriculture share.
- Sec. 114. Restaurant meals program.
- Sec. 115. Mandating State immigration verification.
- Sec. 116. Data exchange standardization for improved interoperability.
- Sec. 117. Pilot projects to improve Federal-State cooperation in identifying and reducing fraud in the supplemental nutrition assistance program.
- Sec. 118. Prohibiting Government-sponsored recruitment activities.
- Sec. 119. Repeal of bonus program.
- Sec. 120. Funding of employment and training programs.
- Sec. 121. Monitoring employment and training programs.
- Sec. 122. Cooperation with program research and evaluation.
- Sec. 123. Pilot projects to reduce dependency and increase work effort in the supplemental nutrition assistance program.
- Sec. 124. Authorization of appropriations.
- Sec. 125. Limitation on use of block grant to Puerto Rico.
- Sec. 126. Assistance for community food projects.
- Sec. 127. Emergency food assistance.
- Sec. 128. Nutrition education.
- Sec. 129. Retailer trafficking.
- Sec. 130. Technical and conforming amendments.
- Sec. 131. Tolerance level for excluding small errors.
- Sec. 132. Commonwealth of the Northern Mariana Islands pilot program.
- Sec. 133. Annual State report on verification of SNAP participation.
- Sec. 134. Termination of existing agreement.
- Sec. 135. Service of traditional foods in public facilities.
- Sec. 136. Testing applicants for unlawful use of controlled substances.
- Sec. 137. Eligibility disqualifications for certain convicted felons.
- Sec. 138. Expungement of unused supplemental nutrition assistance program benefits.
- Sec. 139. Pilot projects to promote work and increase State accountability in the supplemental nutrition assistance program.
- Sec. 140. Improved wage verification using the National Directory of New Hires.

Sec. 141. Feasibility study for Indian tribes.

**TITLE II—COMMODITY DISTRIBUTION PROGRAMS**

Sec. 201. Commodity distribution program.

Sec. 202. Commodity supplemental food program.

Sec. 203. Distribution of surplus commodities to special nutrition projects.

Sec. 204. Processing of commodities.

**TITLE III—MISCELLANEOUS**

Sec. 301. Farmers' market nutrition program.

Sec. 302. Nutrition information and awareness pilot program.

Sec. 303. Fresh fruit and vegetable program.

Sec. 304. Additional authority for purchase of fresh fruits, vegetables, and other specialty food crops.

Sec. 305. Encouraging locally and regionally grown and raised food.

Sec. 306. Review of public health benefits of white potatoes.

Sec. 307. Healthy Food Financing Initiative.

Sec. 308. Review of sole-source contracts in Federal nutrition programs.

Sec. 309. Purchase of Halal and Kosher food for emergency food assistance program.

**1 TITLE I—SUPPLEMENTAL NU-**  
**2 TRITION ASSISTANCE PRO-**  
**3 GRAM**

**4 SEC. 101. PREVENTING PAYMENT OF CASH TO RECIPIENTS**  
**5 OF SUPPLEMENTAL NUTRITION ASSISTANCE**  
**6 BENEFITS FOR THE RETURN OF EMPTY BOT-**  
**7 TLES AND CANS USED TO CONTAIN FOOD**  
**8 PURCHASED WITH BENEFITS PROVIDED**  
**9 UNDER THE PROGRAM.**

10 Section 3(k)(1) of the Food and Nutrition Act of  
 11 2008 (7 U.S.C. 2012(k)(1)) is amended—

12 (1) by striking “and hot foods” and inserting  
 13 “hot foods”; and

14 (2) by adding at the end the following: “and  
 15 any deposit fee in excess of amount of the State fee

1 reimbursement (if any) required to purchase any  
2 food or food product contained in a returnable bottle  
3 or can, regardless of whether such fee is included in  
4 the shelf price posted for such food or food prod-  
5 uct,”.

6 **SEC. 102. RETAILERS.**

7 (a) DEFINITION OF RETAIL FOOD STORE.—Section  
8 3(p)(1)(A) of the Food and Nutrition Act of 2008 (7  
9 U.S.C. 2012(p)(1)(A)) is amended by striking “at least  
10 2” and inserting “at least 3”.

11 (b) ALTERNATIVE BENEFIT DELIVERY.—Section  
12 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C.  
13 2016(f)) is amended—

14 (1) by striking paragraph (2) and inserting the  
15 following:

16 “(2) IMPOSITION OF COSTS.—

17 “(A) IN GENERAL.—Except as provided in  
18 subparagraph (B), the Secretary shall require  
19 participating retailers (including restaurants  
20 participating in a State option restaurant pro-  
21 gram intended to serve the elderly, disabled,  
22 and homeless) to pay 100 percent of the costs  
23 of acquiring, and arrange for the implementa-  
24 tion of, electronic benefit transfer point-of-sale  
25 equipment and supplies.

1           “(B) EXEMPTIONS.—The Secretary may  
2 exempt from subparagraph (A)—

3           “(i) farmers’ markets and other di-  
4 rect-to-consumer markets, military com-  
5 missaries, nonprofit food buying coopera-  
6 tives, and establishments, organizations,  
7 programs, or group living arrangements  
8 described in paragraphs (5), (7), and (8)  
9 of section 3(k); and

10           “(ii) establishments described in para-  
11 graphs (3), (4), and (9) of section 3(k),  
12 other than restaurants participating in a  
13 State option restaurant program.”; and

14 (2) by adding at the end the following:

15 “(4) TERMINATION OF MANUAL VOUCHERS.—

16           “(A) IN GENERAL.—Effective beginning on  
17 the effective date of this paragraph, except as  
18 provided in subparagraph (B), no State shall  
19 issue manual vouchers to a household that re-  
20 ceives supplemental nutrition assistance under  
21 this Act or allow retailers to accept manual  
22 vouchers as payment, unless the Secretary de-  
23 termines that the manual vouchers are nec-  
24 essary, such as in the event of an electronic

1 benefit transfer system failure or a disaster sit-  
2 uation.

3 “(B) EXEMPTIONS.—The Secretary may  
4 exempt categories of retailers or individual re-  
5 tailers from subparagraph (A) based on criteria  
6 established by the Secretary.

7 “(5) UNIQUE IDENTIFICATION NUMBER RE-  
8 QUIRED.—In an effort to enhance the antifraud pro-  
9 tectations of the program, the Secretary shall require  
10 all parties providing electronic benefit transfer serv-  
11 ices to provide for and maintain a unique business  
12 identification and a unique terminal identification  
13 number information through the supplemental nutri-  
14 tion assistance program electronic benefit transfer  
15 transaction routing system. In developing the regula-  
16 tions implementing this paragraph, the Secretary  
17 shall consider existing commercial practices for other  
18 point-of-sale debit transactions. The Secretary shall  
19 issue proposed regulations implementing this para-  
20 graph not earlier than 2 years after the date of en-  
21 actment of this paragraph.”.

22 (c) ELECTRONIC BENEFIT TRANSFERS.—Section  
23 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7  
24 U.S.C. 2016(h)(3)(B)) is amended by striking “is oper-  
25 ational—” and all that follows through “(ii) in the case

1 of other participating stores,” and inserting “is oper-  
2 ational”.

3 (d) APPROVAL OF RETAIL FOOD STORES AND  
4 WHOLESALE FOOD CONCERNS.—Section 9 of the Food  
5 and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

6 (1) in the 2d sentence of subsection (a)(1) by  
7 striking “; and (C)” and inserting “; (C) whether  
8 the applicant is located in an area with significantly  
9 limited access to food; and (D)”;

10 (2) by adding at the end the following:

11 “(g) EBT SERVICE REQUIREMENT.—An approved  
12 retail food store shall provide adequate EBT service as  
13 described in section 7(h)(3)(B).”.

14 **SEC. 103. ENHANCING SERVICES TO ELDERLY AND DIS-**  
15 **ABLED SUPPLEMENTAL NUTRITION ASSIST-**  
16 **ANCE PROGRAM PARTICIPANTS.**

17 (a) ENHANCING SERVICES TO ELDERLY AND DIS-  
18 ABLED PROGRAM PARTICIPANTS.—Section 3(p) of the  
19 Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is  
20 amended—

21 (1) in paragraph (3) by striking “and” at the  
22 end,

23 (2) in paragraph (4) by striking the period at  
24 the end and inserting “; and”, and

1           (3) by inserting after paragraph (4) the fol-  
2           lowing:

3           “(5) a governmental or private nonprofit food  
4           purchasing and delivery service that—

5                   “(A) purchases food for, and delivers such  
6           food to, individuals who are—

7                           “(i) unable to shop for food; and

8                           “(ii)(I) not less than 60 years of age;

9                           or

10                          “(II) physically or mentally handi-  
11           capped or otherwise disabled;

12                          “(B) clearly notifies the participating  
13           household at the time such household places a  
14           food order—

15                           “(i) of any delivery fee associated with  
16           the food purchase and delivery provided to  
17           such household by such service; and

18                           “(ii) that a delivery fee cannot be paid  
19           with benefits provided under supplemental  
20           nutrition assistance program; and

21                          “(C) sells food purchased for such house-  
22           hold at the price paid by such service for such  
23           food and without any additional cost markup.”.

24           (b) IMPLEMENTATION.—



1           (1) ISSUANCE OF RULES.—The Secretary of  
2           Agriculture shall issue regulations that—

3                   (A) establish criteria to identify a food  
4                   purchasing and delivery service referred to in  
5                   section 3(p)(5) of the Food and Nutrition Act  
6                   of 2008 as amended by this Act, and

7                   (B) establish procedures to ensure that  
8                   such service—

9                           (i) does not charge more for a food  
10                           item than the price paid by the such serv-  
11                           ice for such food item,

12                           (ii) offers food delivery service at no  
13                           or low cost to households under such Act,

14                           (iii) ensures that benefits provided  
15                           under the supplemental nutrition assist-  
16                           ance program are used only to purchase  
17                           food, as defined in section 3 of such Act,

18                           (iv) limits the purchase of food, and  
19                           the delivery of such food, to households eli-  
20                           gible to receive services described in section  
21                           3(p)(5) of such Act as so amended,

22                           (v) has established adequate safe-  
23                           guards against fraudulent activities, in-  
24                           cluding unauthorized use of electronic ben-  
25                           efit cards issued under such Act, and

1 (vi) such other requirements as the  
2 Secretary deems to be appropriate.

3 (2) LIMITATION.—Before the issuance of rules  
4 under paragraph (1), the Secretary of Agriculture  
5 may not approve more than 20 food purchasing and  
6 delivery services referred to in section 3(p)(5) of the  
7 Food and Nutrition Act of 2008 as amended by this  
8 Act, to participate as retail food stores under the  
9 supplemental nutrition assistance program.

10 **SEC. 104. FOOD DISTRIBUTION PROGRAM ON INDIAN RES-**  
11 **ERVATIONS.**

12 Section 4(b)(6)(F) of the Food and Nutrition Act of  
13 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking  
14 “2012” and inserting “2016”.

15 **SEC. 105. UPDATING PROGRAM ELIGIBILITY.**

16 Section 5 of the Food and Nutrition Act of 2008 (7  
17 U.S.C. 2014) is amended—

18 (1) in the 2d sentence of subsection (a) by  
19 striking “households in which each member receives  
20 benefits” and inserting “households in which each  
21 member receives cash assistance”, and

22 (2) in subsection (j) by striking “or who re-  
23 ceives benefits under a State program” and inserting  
24 “or who receives cash assistance under a State pro-  
25 gram”.

1 **SEC. 106. EXCLUSION OF MEDICAL MARIJUANA FROM EX-**  
2 **CESS MEDICAL EXPENSE DEDUCTION.**

3 Section 5(e)(5) of the Food and Nutrition Act of  
4 2008 (7 U.S.C. 2014(e)(5)) is amended by adding at the  
5 end the following:

6 “(C) EXCLUSION OF MEDICAL MARI-  
7 JUANA.—The Secretary shall promulgate rules  
8 to ensure that medical marijuana is not treated  
9 as a medical expense for purposes of this para-  
10 graph.”.

11 **SEC. 107. STANDARD UTILITY ALLOWANCES BASED ON THE**  
12 **RECEIPT OF ENERGY ASSISTANCE PAY-**  
13 **MENTS.**

14 (a) STANDARD UTILITY ALLOWANCES IN THE SUP-  
15 PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section  
16 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7  
17 U.S.C. 2014(e)(6)(C)) is amended—

18 (1) in clause (i) by inserting “, subject to clause  
19 (iv)” after “Secretary”; and

20 (2) by striking subclause (I) of clause (iv) and  
21 inserting the following:

22 “(I) IN GENERAL.—Subject to  
23 subclause (II), if a State agency elects  
24 to use a standard utility allowance  
25 that reflects heating and cooling costs,  
26 the standard utility allowance shall be

1 made available to households that re-  
2 ceived a payment, or on behalf of  
3 which a payment was made, under the  
4 Low-Income Home Energy Assistance  
5 Act of 1981 (42 U.S.C. 8621 et seq.)  
6 or other similar energy assistance pro-  
7 gram, if in the current month or in  
8 the immediately preceding 12 months,  
9 the household either received such  
10 payment, or such payment was made  
11 on behalf of the household, that was  
12 greater than \$20 annually, as deter-  
13 mined by the Secretary.”; and

14 (b) CONFORMING AMENDMENT.—Section  
15 2605(f)(2)(A) of the Low-Income Home Energy Assist-  
16 ance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended  
17 by inserting before the semicolon the following: “, except  
18 that, for purposes of the supplemental nutrition assistance  
19 program established under the Food and Nutrition Act of  
20 2008 (7 U.S.C. 2011 et seq.), such payments or allow-  
21 ances were greater than \$20 annually, consistent with sec-  
22 tion 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C.  
23 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of  
24 Agriculture”.

25 (c) EFFECTIVE DATE AND IMPLEMENTATION.—

1           (1) IN GENERAL.—Except as provided in para-  
2 graph (2), this section and the amendments made by  
3 this section shall take effect on October 1, 2013,  
4 and shall apply with respect to certification periods  
5 that begin after such date.

6           (2) STATE OPTION TO DELAY IMPLEMENTATION  
7 FOR CURRENT RECIPIENTS.—A State may, at the  
8 option of the State, implement a policy that elimi-  
9 nates or reduces the effect of the amendments made  
10 by this section on households that received a stand-  
11 ard utility allowance as of the date of enactment of  
12 this Act, for not more than a 180-day period that  
13 begins on the date on which such amendments would  
14 otherwise apply to the respective household.

15 **SEC. 108. ELIGIBILITY DISQUALIFICATIONS.**

16           Section 6(e)(3)(B) of Food and Nutrition Act of  
17 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking  
18 “section;” and inserting the following: “section, subject to  
19 the condition that the course or program of study—”

20                           “(i) is part of a program of career  
21 and technical education (as defined in sec-  
22 tion 3 of the Carl D. Perkins Career and  
23 Technical Education Act of 2006 (20  
24 U.S.C. 2302)) that may be completed in  
25 not more than 4 years at an institution of

1 higher education (as defined in section 102  
2 of the Higher Education Act of 1965 (20  
3 U.S.C. 1002)); or

4 “(ii) is limited to remedial courses,  
5 basic adult education, literacy, or English  
6 as a second language;”.

7 **SEC. 109. REPEAL OF STATE WORK PROGRAM WAIVER AU-**  
8 **THORITY.**

9 Section 6(o) of the Food and Nutrition Act of 2008  
10 (7 U.S.C. 2015(o)) is amended—

11 (1) in paragraph (2)(D) by striking “(5), or  
12 (6)” and inserting “or (5)”;

13 (2) by striking paragraph (4);

14 (3) in paragraph (6)—

15 (A) in subparagraph (A)(ii)—

16 (i) by striking subclause (II);

17 (ii) in subclause (V) by striking “(5)”  
18 and inserting “(4)”;

19 (iii) by redesignating subclauses (III),  
20 (IV), and (V) as subclauses (II), (III), and  
21 (IV), respectively;

22 (B) in subparagraph (B) by striking “(G)”  
23 and inserting “(H)”;

1 (C) in subparagraph (D) by striking “and  
2 each subsequent fiscal year” and inserting  
3 “through fiscal year 2013”;

4 (D) in subparagraph (F) by striking “and  
5 each subsequent fiscal year” and inserting  
6 “through fiscal year 2013”; and

7 (E) by adding at the end the following:

8 “(H) FISCAL YEAR 2014 AND THERE-  
9 AFTER.—Subject to subparagraph (G), for fis-  
10 cal year 2014 and each subsequent fiscal year,  
11 a State agency may provide a number of ex-  
12 emptions such that the average monthly num-  
13 ber of the exemptions in effect during the fiscal  
14 year does not exceed 15 percent of the number  
15 of individuals identified as ‘Nondisabled Adults  
16 Age 18-49 in Childless Households’ in the table  
17 ‘B.5 Distribution of Participating Households  
18 by Household Composition and by State’ of the  
19 report entitled Characteristics of Supplemental  
20 Nutrition Assistance Program Households: Fis-  
21 cal Year 2011 (Supplemental Nutrition Assist-  
22 ance Program Report No. SNAP-12-CHAR)  
23 prepared for and published by the Office of Re-  
24 search and Analysis of the Food and Nutrition

1 Service of the Department of Agriculture in No-  
2 vember 2012.”; and

3 (4) by redesignating paragraphs (5), (6), and  
4 (7) as paragraphs (4), (5), and (6), respectively.

5 **SEC. 110. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE**

6 **PROGRAM BENEFITS FOR LOTTERY OR GAM-**  
7 **BLING WINNERS.**

8 (a) IN GENERAL.—Section 6 of the Food and Nutri-  
9 tion Act of 2008 (7 U.S.C. 2015) is amended by adding  
10 at the end the following:

11 “(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT  
12 OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

13 “(1) IN GENERAL.—Any household in which a  
14 member receives substantial lottery or gambling  
15 winnings, as determined by the Secretary, shall lose  
16 eligibility for benefits immediately upon receipt of  
17 the winnings.

18 “(2) DURATION OF INELIGIBILITY.—A house-  
19 hold described in paragraph (1) shall remain ineli-  
20 gible for participation until the household meets the  
21 allowable financial resources and income eligibility  
22 requirements under subsections (c), (d), (e), (f), (g),  
23 (i), (k), (l), (m), and (n) of section 5.

24 “(3) AGREEMENTS.—As determined by the Sec-  
25 retary, each State agency, to the maximum extent



1 practicable, shall establish agreements with entities  
2 responsible for the regulation or sponsorship of gam-  
3 ing in the State to determine whether individuals  
4 participating in the supplemental nutrition assist-  
5 ance program have received substantial lottery or  
6 gambling winnings.”.

7 (b) CONFORMING AMENDMENTS.—Section 5(a) of  
8 the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a))  
9 is amended in the 2d sentence by striking “sections 6(b),  
10 6(d)(2), and 6(g)” and inserting “subsections (b), (d)(2),  
11 (g), and (r) of section 6”.

12 **SEC. 111. IMPROVING SECURITY OF FOOD ASSISTANCE.**

13 Section 7(h)(8) of the Food and Nutrition Act of  
14 2008 (7 U.S.C. 2016(h)(8)) is amended—

15 (1) in the heading by striking “CARD FEE” and  
16 inserting “OF CARDS”;

17 (2) by striking “A State” and inserting the fol-  
18 lowing:

19 “(A) FEES.—A State”; and

20 (3) by adding after subparagraph (A) (as so  
21 designated by paragraph (2)) the following:

22 “(B) PURPOSEFUL LOSS OF CARDS.—

23 “(i) IN GENERAL.—Subject to terms  
24 and conditions established by the Secretary  
25 in accordance with clause (ii), if a house-

1 hold makes excessive requests for replace-  
2 ment of the electronic benefit transfer card  
3 of the household, the Secretary may re-  
4 quire a State agency to decline to issue a  
5 replacement card to the household unless  
6 the household, upon request of the State  
7 agency, provides an explanation for the  
8 loss of the card.

9 “(ii) REQUIREMENTS.—The terms  
10 and conditions established by the Secretary  
11 shall provide that—

12 “(I) the household be given the  
13 opportunity to provide the requested  
14 explanation and meet the require-  
15 ments under this paragraph promptly;

16 “(II) after an excessive number  
17 of lost cards, the head of the house-  
18 hold shall be required to review pro-  
19 gram rights and responsibilities with  
20 State agency personnel authorized to  
21 make determinations under section  
22 5(a); and

23 “(III) any action taken, including  
24 actions required under section  
25 6(b)(2), other than the withholding of

1 the electronic benefit transfer card  
2 until an explanation described in sub-  
3 clause (I) is provided, shall be con-  
4 sistent with the due process protec-  
5 tions under section 6(b) or 11(e)(10),  
6 as appropriate.

7 “(C) PROTECTING VULNERABLE PER-  
8 SONS.—In implementing this paragraph, a  
9 State agency shall act to protect homeless per-  
10 sons, persons with disabilities, victims of  
11 crimes, and other vulnerable persons who lose  
12 electronic benefit transfer cards but are not in-  
13 tentionally committing fraud.

14 “(D) EFFECT ON ELIGIBILITY.—While a  
15 State may decline to issue an electronic benefits  
16 transfer card until a household satisfies the re-  
17 quirements under this paragraph, nothing in  
18 this paragraph shall be considered a denial of,  
19 or limitation on, the eligibility for benefits  
20 under section 5.”.

21 **SEC. 112. DEMONSTRATION PROJECTS ON ACCEPTANCE OF**  
22 **BENEFITS OF MOBILE TRANSACTIONS.**

23 Section 7(h) of the Food and Nutrition Act of 2008  
24 (7 U.S.C. 2016(h)) is amended by adding at the end the  
25 following:

1           “(14) DEMONSTRATION PROJECTS ON ACCEPT-  
2           ANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

3           “(A) IN GENERAL.—The Secretary shall  
4           pilot the use of mobile technologies determined  
5           by the Secretary to be appropriate to test the  
6           feasibility and implications for program integ-  
7           rity, by allowing retail food stores, farmers  
8           markets, and other direct producer-to-consumer  
9           marketing outlets to accept benefits from recipi-  
10          ents of supplemental nutrition assistance  
11          through mobile transactions.

12          “(B) DEMONSTRATION PROJECTS.—To be  
13          eligible to participate in a demonstration project  
14          under subsection (a), a retail food store, farm-  
15          ers market, or other direct producer-to-con-  
16          sumer marketing outlet shall submit to the Sec-  
17          retary for approval a plan that includes—

18                 “(i) a description of the technology;

19                 “(ii) the manner by which the retail  
20                 food store, farmers market or other direct  
21                 producer-to-consumer marketing outlet will  
22                 provide proof of the transaction to house-  
23                 holds;

24                 “(iii) the provision of data to the Sec-  
25                 retary, consistent with requirements estab-

1 lished by the Secretary, in a manner that  
2 allows the Secretary to evaluate the impact  
3 of the demonstration on participant access,  
4 ease of use, and program integrity; and

5 “(iv) such other criteria as the Sec-  
6 retary may require.

7 “(C) DATE OF COMPLETION.—The dem-  
8 onstration projects under this paragraph shall  
9 be completed and final reports submitted to the  
10 Secretary by not later than July 1, 2016.

11 “(D) REPORT TO CONGRESS.—The Sec-  
12 retary shall submit a report to the Committee  
13 on Agriculture of the House of Representatives  
14 and the Committee on Agriculture, Nutrition,  
15 and Forestry of the Senate that includes a find-  
16 ing, based on the data provided under subpara-  
17 graph (C) whether or not implementation in all  
18 States is in the best interest of the supple-  
19 mental nutrition assistance program.”.

20 **SEC. 113. USE OF BENEFITS FOR PURCHASE OF COMMU-**  
21 **NITY-SUPPORTED AGRICULTURE SHARE.**

22 Section 10 of the Food and Nutrition Act of 2008  
23 (7 U.S.C. 2019) is amended in the 1st sentence by insert-  
24 ing “agricultural producers who market agricultural prod-  
25 ucts directly to consumers shall be authorized to redeem

1 benefits for the initial cost of the purchase of a commu-  
2 nity-supported agriculture share,” after “food so pur-  
3 chased,”.

4 **SEC. 114. RESTAURANT MEALS PROGRAM.**

5 (a) IN GENERAL.—Section 11(e) of the Food and  
6 Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

7 (1) in paragraph (22) by striking “and” at the  
8 end;

9 (2) in paragraph (23)(C) by striking the period  
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(24) if the State elects to carry out a program  
13 to contract with private establishments to offer  
14 meals at concessional prices, as described in para-  
15 graphs (3), (4), and (9) of section 3(k)—

16 “(A) the plans of the State agency for op-  
17 erating the program, including—

18 “(i) documentation of a need that eli-  
19 gible homeless, elderly, and disabled clients  
20 are underserved in a particular geographic  
21 area;

22 “(ii) the manner by which the State  
23 agency will limit participation to only those  
24 private establishments that the State de-

1 termines necessary to meet the need identi-  
2 fied in clause (i); and

3 “(iii) any other conditions the Sec-  
4 retary may prescribe, such as the level of  
5 security necessary to ensure that only eligi-  
6 ble recipients participate in the program;  
7 and

8 “(B) a report by the State agency to the  
9 Secretary annually, the schedule of which shall  
10 be established by the Secretary, that includes—

11 “(i) the number of households and in-  
12 dividual recipients authorized to partici-  
13 pate in the program, including any infor-  
14 mation on whether the individual recipient  
15 is elderly, disabled, or homeless; and

16 “(ii) an assessment of whether the  
17 program is meeting an established need, as  
18 documented under subparagraph (A)(i).”.

19 (b) APPROVAL OF RETAIL FOOD STORES AND  
20 WHOLESALE FOOD CONCERNS.—Section 9 of the Food  
21 and Nutrition Act of 2008 (7 U.S.C. 2018) is amended  
22 by adding at the end the following:

23 “(h) PRIVATE ESTABLISHMENTS.—

24 “(1) IN GENERAL.—Subject to paragraph (2),  
25 no private establishment that contracts with a State

1 agency to offer meals at concessional prices as de-  
2 scribed in paragraphs (3), (4), and (9) of section  
3 3(k) may be authorized to accept and redeem bene-  
4 fits unless the Secretary determines that the partici-  
5 pation of the private establishment is required to  
6 meet a documented need in accordance with section  
7 11(e)(24).

8 “(2) EXISTING CONTRACTS.—

9 “(A) IN GENERAL.—If, on the day before  
10 the effective date of this subsection, a State has  
11 entered into a contract with a private establish-  
12 ment described in paragraph (1) and the Sec-  
13 retary has not determined that the participation  
14 of the private establishment is necessary to  
15 meet a documented need in accordance with  
16 section 11(e)(24), the Secretary shall allow the  
17 operation of the private establishment to con-  
18 tinue without that determination of need for a  
19 period not to exceed 180 days from the date on  
20 which the Secretary establishes determination  
21 criteria, by regulation, under section 11(e)(24).

22 “(B) JUSTIFICATION.—If the Secretary de-  
23 termines to terminate a contract with a private  
24 establishment that is in effect on the effective  
25 date of this subsection, the Secretary shall pro-



1           vide justification to the State in which the pri-  
2           vate establishment is located for that termi-  
3           nation.

4           “(3) REPORT TO CONGRESS.—Not later than  
5           90 days after September 30, 2014, and 90 days  
6           after the last day of each fiscal year thereafter, the  
7           Secretary shall report to the Committee on Agri-  
8           culture of the House of Representatives and the  
9           Committee on Agriculture, Nutrition, and Forestry  
10          of the Senate on the effectiveness of a program  
11          under this subsection using any information received  
12          from States under section 11(e)(24) as well as any  
13          other information the Secretary may have relating to  
14          the manner in which benefits are used.”.

15          (c) CONFORMING AMENDMENTS.—Section 3(k) of  
16          the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k))  
17          is amended by inserting “subject to section 9(h)” after  
18          “concessional prices” each place it appears.

19          **SEC. 115. MANDATING STATE IMMIGRATION VERIFICATION.**

20          Section 11(p) of the Food and Nutrition Act of 2008  
21          (7 U.S.C. 2020(p)) is amended to read as follows:

22          “(p) STATE VERIFICATION OPTION.—In carrying out  
23          the supplemental nutrition assistance program, a State  
24          agency shall be required to use an income and eligibility,  
25          or an immigration status, verification system established

1 under section 1137 of the Social Security Act (42 U.S.C.  
2 1320b-7), in accordance with standards set by the Sec-  
3 retary.”.

4 **SEC. 116. DATA EXCHANGE STANDARDIZATION FOR IM-**  
5 **PROVED INTEROPERABILITY.**

6 (a) DATA EXCHANGE STANDARDIZATION.—Section  
7 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020)  
8 is amended by adding at the end the following:

9 “(v) DATA EXCHANGE STANDARDS FOR IMPROVED  
10 INTEROPERABILITY.—

11 “(1) DESIGNATION.—The Secretary shall, in  
12 consultation with an interagency work group estab-  
13 lished by the Office of Management and Budget, and  
14 considering State government perspectives, designate  
15 data exchange standards to govern, under this  
16 part—

17 “(A) necessary categories of information  
18 that State agencies operating such programs  
19 are required under applicable law to electroni-  
20 cally exchange with another State agency; and

21 “(B) Federal reporting and data exchange  
22 required under applicable law.

23 “(2) REQUIREMENTS.—The data exchange  
24 standards required by paragraph (1) shall, to the ex-  
25 tent practicable—

1           “(A) incorporate a widely accepted, non-  
2           proprietary, searchable, computer-readable for-  
3           mat, such as the eXtensible Markup Language;

4           “(B) contain interoperable standards devel-  
5           oped and maintained by intergovernmental  
6           partnerships, such as the National Information  
7           Exchange Model;

8           “(C) incorporate interoperable standards  
9           developed and maintained by Federal entities  
10          with authority over contracting and financial  
11          assistance;

12          “(D) be consistent with and implement ap-  
13          plicable accounting principles;

14          “(E) be implemented in a manner that is  
15          cost-effective and improves program efficiency  
16          and effectiveness; and

17          “(F) be capable of being continually up-  
18          graded as necessary.

19          “(3) RULES OF CONSTRUCTION.—Nothing in  
20          this subsection shall be construed to require a  
21          change to existing data exchange standards for Fed-  
22          eral reporting found to be effective and efficient.”.

23          (b) EFFECTIVE DATE.—The Secretary shall issue a  
24          proposed rule within 24 months after the date of the en-  
25          actment of this Act. The rule shall identify federally re-

1 required data exchanges, include specification and timing of  
2 exchanges to be standardized, and address the factors  
3 used in determining whether and when to standardize data  
4 exchanges. It should also specify state implementation op-  
5 tions and describe future milestones.

6 **SEC. 117. PILOT PROJECTS TO IMPROVE FEDERAL-STATE**  
7 **COOPERATION IN IDENTIFYING AND REDUC-**  
8 **ING FRAUD IN THE SUPPLEMENTAL NUTRI-**  
9 **TION ASSISTANCE PROGRAM.**

10 Section 12 of the Food and Nutrition Act of 2008  
11 (7 U.S.C. 2021) is amended by adding at the end the fol-  
12 lowing:

13 “(i) PILOT PROJECTS TO IMPROVE FEDERAL-STATE  
14 COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN  
15 THE SUPPLEMENTAL NUTRITION ASSISTANCE PRO-  
16 GRAM.—

17 “(1) IN GENERAL.—The Secretary shall carry  
18 out, under such terms and conditions as determined  
19 by the Secretary, pilot projects to test innovative  
20 Federal-State partnerships to identify, investigate,  
21 and reduce retailer fraud in the supplemental nutri-  
22 tion assistance program, including allowing States to  
23 operate retail Food Store investigation programs. At  
24 least 1 such pilot project shall be carried out in an  
25 urban area that is among the 10 largest urban areas

1 in the United States (based on population) if the  
2 supplemental nutrition assistance program is sepa-  
3 rately administered in such area and if the adminis-  
4 tration of such program in such area complies with  
5 the other applicable requirements of such program.

6 “(2) SELECTION CRITERIA.—Pilot projects shall  
7 be selected based on criteria the Secretary estab-  
8 lishes, which shall include—

9 “(A) enhancing existing efforts by the Sec-  
10 retary to reduce retailer fraud;

11 “(B) requiring participant States to main-  
12 tain their overall level of effort at addressing  
13 recipient fraud, as determined by the Secretary,  
14 prior to participation in the pilot project;

15 “(C) collaborating with other law enforce-  
16 ment authorities as necessary to carry out an  
17 effective pilot project;

18 “(D) commitment of the participant State  
19 agency to follow Federal rules and procedures  
20 with respect to retailer investigations; and

21 “(E) the extent to which a State has com-  
22 mitted resources to recipient fraud and the rel-  
23 ative success of those efforts.

24 “(3) EVALUATION.—

1           “(A) The Secretary shall evaluate the  
2 projects selected under this subsection to meas-  
3 ure the impact of the pilot projects.

4           “(B) Such evaluation shall include—

5                   “(i) each pilot project’s impact on in-  
6 creasing the Secretary’s capacity to ad-  
7 dress retailer fraud;

8                   “(ii) the effectiveness of the pilot  
9 projects in identifying, preventing and re-  
10 ducing retailer fraud; and

11                   “(iii) the cost effectiveness of such  
12 pilot projects.

13           “(4) REPORT TO CONGRESS.—Not later than  
14 September 30, 2017, the Secretary shall submit to  
15 the Committee on Agriculture of the House of Rep-  
16 resentatives and the Committee on Agriculture, Nu-  
17 trition and Forestry of the Senate, a report that in-  
18 cludes a description of the results of each pilot  
19 project, including an evaluation of the impact of the  
20 project on retailer fraud and the costs associated  
21 with each pilot project.

22           “(5) FUNDING.—Any costs incurred by the  
23 State to operate the pilot projects in excess of the  
24 amount expended under this Act for retailer fraud in  
25 the respective State in the previous fiscal year shall

1 not be eligible for Federal reimbursement under this  
2 Act.”.

3 **SEC. 118. PROHIBITING GOVERNMENT-SPONSORED RE-**  
4 **CRUITMENT ACTIVITIES.**

5 (a) ADMINISTRATIVE COST-SHARING AND QUALITY  
6 CONTROL.—Section 16(a)(4) of the Food and Nutrition  
7 Act of 2008 (7 U.S.C. 2025(a)(4)) is amended by insert-  
8 ing after “recruitment activities” the following: “designed  
9 to persuade an individual to apply for program benefits  
10 or that promote the program via television, radio, or bill-  
11 board advertisements”.

12 (b) LIMITATION ON USE OF FUNDS AUTHORIZED TO  
13 BE APPROPRIATED UNDER ACT.—Section 18 of the Food  
14 and Nutrition Act of 2008 (7 U.S.C. 2027) is amended  
15 by adding at the end the following:

16 “(g) BAN ON RECRUITMENT AND PROMOTION AC-  
17 TIVITIES.—(1) Except as provided in paragraph (2), no  
18 funds authorized to be appropriated under this Act shall  
19 be used by the Secretary for—

20 “(A) recruitment activities designed to persuade  
21 an individual to apply for supplemental nutrition as-  
22 sistance program benefits;

23 “(B) television, radio, or billboard advertise-  
24 ments that are designed to promote supplemental

1 nutrition assistance program benefits and enroll-  
2 ment; or

3 “(C) any agreements with foreign governments  
4 designed to promote supplemental nutrition assist-  
5 ance program benefits and enrollment.

6 “(2) Paragraph (1)(B) shall not apply to pro-  
7 grammatic activities undertaken with respect to benefits  
8 made available in response to a natural disaster.”.

9 (c) **BAN ON RECRUITMENT ACTIVITIES BY ENTITIES**  
10 **THAT RECEIVE FUNDS.**—Section 18 of the Food and Nu-  
11 trition Act of 2008 (7 U.S.C. 2027) is amended by adding  
12 at the end the following :

13 “(h) **BAN ON RECRUITMENT BY ENTITIES THAT RE-**  
14 **CEIVE FUNDS.**—The Secretary shall issue regulations that  
15 forbid entities that receive funds under this Act to com-  
16 pensate any person for conducting outreach activities re-  
17 lating to participation in, or for recruiting individuals to  
18 apply to receive benefits under, the supplemental nutrition  
19 assistance program if the amount of such compensation  
20 would be based on the number of individuals who apply  
21 to receive such benefits.”.

22 **SEC. 119. REPEAL OF BONUS PROGRAM.**

23 Section 16(d) of the Food and Nutrition Act of 2008  
24 (7 U.S.C. 2025(d)) is repealed.



1 **SEC. 120. FUNDING OF EMPLOYMENT AND TRAINING PRO-**  
2 **GRAMS.**

3 Section 16(h)(1)(A) of the Food and Nutrition Act  
4 of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by striking  
5 “\$90,000,000” and all that follows through  
6 “\$79,000,000”, and inserting “\$79,000,000 for each fis-  
7 cal year”.

8 **SEC. 121. MONITORING EMPLOYMENT AND TRAINING PRO-**  
9 **GRAMS.**

10 (a) REPORTING MEASURES.—Section 16(h)(5) of the  
11 Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(5))  
12 is amended to read:

13 “(5)(A) IN GENERAL.—The Secretary shall  
14 monitor the employment and training programs car-  
15 ried out by State agencies under section 6(d)(4) and  
16 assess their effectiveness in—

17 “(i) preparing members of households par-  
18 ticipating in the supplemental nutrition assist-  
19 ance program for employment, including the ac-  
20 quisition of basic skills necessary for employ-  
21 ment; and

22 “(ii) increasing the numbers of household  
23 members who obtain and retain employment  
24 subsequent to their participation in such em-  
25 ployment and training programs.

1           “(B) REPORTING MEASURES.—The Secretary,  
2           in consultation with the Secretary of Labor, shall de-  
3           velop reporting measures that identify improvements  
4           in the skills, training education or work experience  
5           of members of households participating in the sup-  
6           plemental nutrition assistance program. Measures  
7           shall be based on common measures of performance  
8           for federal workforce training programs, so long as  
9           they reflect the challenges facing the types of mem-  
10          bers of households participating in the supplemental  
11          nutrition assistance program who participate in a  
12          specific employment and training component. The  
13          Secretary shall require that each State employment  
14          and training plan submitted under section 11(e)(19)  
15          identify appropriate reporting measures for each of  
16          their proposed components that serve at least 100  
17          people. Such measures may include:

18                 “(i) the percentage and number of pro-  
19                 gram participants who received employment and  
20                 training services and are in unsubsidized em-  
21                 ployment subsequent to the receipt of those  
22                 services;

23                 “(ii) the percentage and number of pro-  
24                 gram participants who obtain a recognized post-  
25                 secondary credential, including a registered ap-

1           prenticeship, or a regular secondary school di-  
2           ploma or its recognized equivalent, while par-  
3           ticipating in or within 1 year after receiving  
4           employment and training services;

5           “(iii) the percentage and number of pro-  
6           gram participants who are in an education or  
7           training program that is intended to lead to a  
8           recognized postsecondary credential, including a  
9           registered apprenticeship or on-the-job training  
10          program, a regular secondary school diploma or  
11          its recognized equivalent, or unsubsidized em-  
12          ployment;

13          “(iv) subject to the terms and conditions  
14          set by the Secretary, measures developed by  
15          each State agency to assess the skills acquisi-  
16          tion of employment and training program par-  
17          ticipants that reflect the goals of their specific  
18          employment and training program components,  
19          which may include, but are not limited to—

20                 “(I) the percentage and number of  
21                 program participants who are meeting pro-  
22                 gram requirements in each component of  
23                 the State’s education and training pro-  
24                 gram; and

1                   “(II) the percentage and number of  
2                   program participants who are gaining  
3                   skills likely to lead to employment as meas-  
4                   ured through testing, quantitative or quali-  
5                   tative assessment or other method; and

6                   “(v) other indicators as approved by the  
7                   Secretary.

8                   “(C) STATE REPORT.—Each State agency shall  
9                   annually prepare and submit to the Secretary a re-  
10                  port on the State’s employment and training pro-  
11                  gram that includes the numbers of supplemental nu-  
12                  trition assistance program participants who have  
13                  gained skills, training, work or experience that will  
14                  increase their ability to obtain regular employment  
15                  using measures identified in subparagraph (B).

16                  “(D) MODIFICATIONS TO THE STATE EMPLOY-  
17                  MENT AND TRAINING PLAN.—Subject to the terms  
18                  and conditions established by the Secretary, if the  
19                  Secretary determines that the state agency’s per-  
20                  formance with respect to employment and training  
21                  outcomes is inadequate, the Secretary may require  
22                  the State agency to make modifications to their em-  
23                  ployment and training plan to improve such out-  
24                  comes.

25                  “(E) PERIODIC EVALUATION.—

1           “(i) IN GENERAL.—Subject to terms and  
2           conditions established by the Secretary, not  
3           later than October 1, 2016, and not less fre-  
4           quently than once every 5 years thereafter, the  
5           Secretary shall conduct a study to review exist-  
6           ing practice and research to identify employ-  
7           ment and training program components and  
8           practices that—

9                   “(I) effectively assist members of  
10                  households participating in the supple-  
11                  mental nutrition assistance program in  
12                  gaining skills, training, work, or experience  
13                  that will increase their ability to obtain  
14                  regular employment, and

15                  “(II) are best integrated with state-  
16                  wide workforce development systems.

17           “(ii) REPORT TO CONGRESS.—The Sec-  
18           retary shall submit a report that describes the  
19           results of the study under clause (i) to the  
20           Committee on Agriculture in the House of Rep-  
21           resentatives, and the Committee on Agriculture,  
22           Nutrition and Forestry in the Senate.”.

23           (b) EFFECTIVE DATE.—Notwithstanding section 4(c)  
24           of the Food and Nutrition Act of 2008 (7 U.S.C.  
25           2013(a)), the Secretary shall issue interim final regula-

1 tions implementing the amendment made by subsection  
2 (a) no later than 18 months after the date of enactment  
3 of this Act. States shall include such reporting measures  
4 in their employment and training plans for the 1st fiscal  
5 year thereafter that begins no sooner than 6 months after  
6 the date that such regulations are published.

7 **SEC. 122. COOPERATION WITH PROGRAM RESEARCH AND**  
8 **EVALUATION.**

9 Section 17 of the Food and Nutrition Act of 2008  
10 (7 U.S.C. 2026) is amended by adding at the end the fol-  
11 lowing:

12 “(l) COOPERATION WITH PROGRAM RESEARCH AND  
13 EVALUATION.—States, State agencies, local agencies, in-  
14 stitutions, facilities such as data consortiums, and con-  
15 tractors participating in programs authorized under this  
16 Act shall cooperate with officials and contractors acting  
17 on behalf of the Secretary in the conduct of evaluations  
18 and studies under this Act and shall submit information  
19 at such time and in such manner as the Secretary may  
20 require.”.

1 **SEC. 123. PILOT PROJECTS TO REDUCE DEPENDENCY AND**  
2 **INCREASE WORK EFFORT IN THE SUPPLE-**  
3 **MENTAL NUTRITION ASSISTANCE PROGRAM.**

4 Section 17 of the Food and Nutrition Act of 2008  
5 (7 U.S.C. 2026), as amended by section 121, is amended  
6 by adding at the end the following:

7 “(m) PILOT PROJECTS TO REDUCE DEPENDENCY  
8 AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL  
9 NUTRITION ASSISTANCE PROGRAM.—

10 “(1) IN GENERAL.—The Secretary shall carry  
11 out, under such terms and conditions as the Sec-  
12 retary considers to be appropriate, pilot projects to  
13 identify best practices for employment and training  
14 programs under this Act to raise the number of  
15 work registrants who obtain unsubsidized employ-  
16 ment, increase their earned income, and reduce their  
17 reliance on public assistance, including but not lim-  
18 ited to the supplemental nutrition assistance pro-  
19 gram.

20 “(2) SELECTION CRITERIA.—Pilot projects shall  
21 be selected based on criteria the Secretary estab-  
22 lishes, that shall include—

23 “(A) enhancing existing employment and  
24 training programs in the State;

25 “(B) agreeing to participate in the evalua-  
26 tion described in paragraph (3), including mak-

1           ing available data on participants’ employment  
2           activities and post-participation employment,  
3           earnings, and public benefit receipt;

4           “(C) collaborating with the State work-  
5           force board and other job training programs in  
6           the State and local area;

7           “(D) the extent to which the pilot project’s  
8           components can be easily replicated by other  
9           States or political subdivisions; and

10          “(E) such additional criteria that ensure  
11          that the pilot projects—

12                 “(i) target a variety of populations of  
13                 work registrants, including childless adults,  
14                 parents, and individuals with low skills or  
15                 limited work experience;

16                 “(ii) are selected from a range of ex-  
17                 isting employment and training programs  
18                 including programs that provide—

19                         “(I) section 20 workfare;

20                         “(II) skills development for work  
21                         registrants with limited employment  
22                         history;

23                         “(III) post-employment support  
24                         services necessary for maintaining em-  
25                         ployment; and



1                   “(IV) education leading to a rec-  
2                   ognized postsecondary credential, reg-  
3                   istered apprenticeship, or secondary  
4                   school diploma or its equivalent;

5                   “(iii) are located in a range of geo-  
6                   graphic areas, including rural, urban, and  
7                   Indian reservations; and

8                   “(iv) include participants who are ex-  
9                   empt and not exempt under section  
10                  (6)(d)(2).

11                  “(3) EVALUATION.—The Secretary shall pro-  
12                  vide for an independent evaluation of projects se-  
13                  lected under this subsection to measure the impact  
14                  of the pilot projects on the ability of each pilot  
15                  project target population to find and retain employ-  
16                  ment that leads to increased household income and  
17                  reduced dependency, compared to what would have  
18                  occurred in the absence of the pilot project.

19                  “(4) REPORT TO CONGRESS.—By September  
20                  30, 2017, the Secretary shall submit, to the Com-  
21                  mittee on Agriculture of the House of Representa-  
22                  tives and the Committee on Agriculture, Nutrition,  
23                  and Forestry of the Senate, a report that includes  
24                  a description of—

1           “(A) the results of each pilot project, in-  
2           cluding an evaluation of the impact of the  
3           project on the employment, income, and public  
4           benefit receipt of the targeted population of  
5           work registrants;

6           “(B) the Federal, State, and other costs of  
7           each pilot project;

8           “(C) the planned dissemination of the re-  
9           ports’ findings with State agencies; and

10           “(D) the steps and funding necessary to  
11           incorporate components of pilot projects that  
12           demonstrate increased employment and earn-  
13           ings into State employment and training pro-  
14           grams.

15           “(5) FUNDING.—From amounts made available  
16           under section 18(a)(1), the Secretary shall make  
17           \$10,000,000 available for each of the fiscal years  
18           2014, 2015, and 2016 to carry out this subsection.  
19           Such amounts shall remain available until expended.

20           “(6) USE OF FUNDS.—

21           “(A) Funds provided under this subsection  
22           for pilot projects shall be used only for—

23                   “(i) pilot projects that comply with  
24                   the provisions of this Act;

1 “(ii) the costs and administration of  
2 the pilot projects;

3 “(iii) the costs incurred in providing  
4 information and data to the independent  
5 evaluation under paragraph (3); and

6 “(iv) the costs of the evaluation under  
7 paragraph (3).

8 “(B) Funds made available under this sub-  
9 section may not be used to supplant non-Fed-  
10 eral funds used for existing employment and  
11 training activities.”.

12 **SEC. 124. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 18(a)(1) of the Food and Nutrition Act of  
14 2008 (7 U.S.C. 2027(a)(1)) is amended in the 1st sen-  
15 tence by striking “2012” and inserting “2016”.

16 **SEC. 125. LIMITATION ON USE OF BLOCK GRANT TO PUER-**  
17 **TO RICO.**

18 Section 19(a)(2)(B) of the Food and Nutrition Act  
19 of 2008 (7 U.S.C. 2028(a)(2)(B)) is amended by adding  
20 at the end the following:

21 “(iii) LIMITATION ON USE OF  
22 FUNDS.—None of the funds made available  
23 to the Commonwealth of Puerto Rico  
24 under this subparagraph may be used to

1                   provide nutrition assistance in the form of  
2                   cash benefits.”.

3 **SEC. 126. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.**

4           (a) DEFINITION.—Section 25(a)(1)(B)(i) of the Food  
5 and Nutrition Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)) is  
6 amended—

7           (1) in subclause (II) by striking “and” at the  
8           end;

9           (2) in subclause (III) by striking “or” at the  
10          end and inserting “and”; and

11          (3) by adding at the end the following:

12                   “(IV) to provide incentives for the  
13                   consumption of fruits and vegetables  
14                   among low-income individuals; or”.

15          (b) ADDITIONAL FUNDING.—Section 25(b) of the  
16 Food and Nutrition Act of 2008 (7 U.S.C. 2034) is  
17 amended by adding at the end the following:

18           “(3) FUNDING.—

19                   “(A) IN GENERAL.—Out of any funds in  
20                   the Treasury not otherwise appropriated, the  
21                   Secretary of the Treasury shall transfer to the  
22                   Secretary to carry out this section not less than  
23                   \$10,000,000 for fiscal year 2014 and each fis-  
24                   cal year thereafter. Of the amount made avail-  
25                   able under this subparagraph for each such fis-

1 cal year, \$5,000,000 shall be available to carry  
2 out subsection (a)(1)(B)(I)(IV).

3 “(B) RECEIPT AND ACCEPTANCE.—The  
4 Secretary shall be entitled to receive, shall ac-  
5 cept, and shall use to carry out this section, the  
6 funds transferred under subparagraph (A) with-  
7 out further appropriation.

8 “(C) MAINTENANCE OF FUNDING.—The  
9 funding provided under subparagraph (A) shall  
10 supplement (and not supplant) other Federal  
11 funding made available to the Secretary to  
12 carry out this section.”.

13 **SEC. 127. EMERGENCY FOOD ASSISTANCE.**

14 (a) PURCHASE OF COMMODITIES.—Section 27(a) of  
15 the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a))  
16 is amended—

17 (1) in paragraph (1) by striking “2008 through  
18 2012” and inserting “2013 through 2016”;

19 (2) in paragraph (2) by striking subparagraphs  
20 (A), (B), and (C), and inserting the following:

21 “(A) for fiscal year 2013, \$265,750,000;

22 “(B) for fiscal year 2014, the dollar  
23 amount of commodities specified in subpara-  
24 graph (A) adjusted by the percentage by which  
25 the thrifty food plan has been adjusted under

1 section 3(u)(4) between June 30, 2012 and  
2 June 30, 2013, and increased by \$70,000,000;

3 “(C) for fiscal year 2015, the dollar  
4 amount of commodities determined for fiscal  
5 year 2014 under subparagraph (B) adjusted by  
6 the percentage by which the thrifty food plan  
7 has been adjusted under section 3(u)(4) be-  
8 tween June 30, 2013 and June 30, 2014;

9 “(D) for fiscal year 2016, the dollar  
10 amount of commodities determined for fiscal  
11 year 2015 under subparagraph (C) adjusted by  
12 the percentage by which the thrifty food plan  
13 has been adjusted under section 3(u)(4) be-  
14 tween June 30, 2014 and June 30, 2015, and  
15 reduced by \$50,000,000; and

16 “(E) for each subsequent fiscal year, the  
17 dollar amount of commodities determined for  
18 the preceding fiscal year adjusted to reflect the  
19 percentage by which the thrifty food plan has  
20 been adjusted under section 3(u)(4) for the 12-  
21 month period ending on the preceding June  
22 30.”; and

23 (3) by adding at the end the following:

1           “(3) FUNDS AVAILABILITY.—For purposes of  
2           the funds described in this subsection, the Secretary  
3           shall—

4                   “(A) make the funds available for 2 fiscal  
5                   years; and

6                   “(B) allow States to carry over unex-  
7                   pended balances to the next fiscal year pursu-  
8                   ant to such terms and conditions as are deter-  
9                   mined by the Secretary.”.

10          (b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE  
11 GRANTS.—Section 209(d) of the Emergency Food Assist-  
12 ance Act of 1983 (7 U.S.C. 7511a(d)) is amended by  
13 striking “2012” and inserting “2016”.

14 **SEC. 128. NUTRITION EDUCATION.**

15          Section 28 of the Food and Nutrition Act of 2008  
16 (7 U.S.C. 2036a) is amended—

17                   (1) in subsection (b) by inserting “and physical  
18                   activity” after “healthy food choices”; and

19                   (2) in subsection (d)(1)—

20                           (A) in subparagraph (D) by striking  
21                           “\$401,000,000;” and inserting “\$372,000,000;  
22                           and”;

23                           (B) by striking subparagraph (E); and

1 (C) in subparagraph (F) by striking “(F)  
2 for fiscal year 2016” and inserting “(E) for fis-  
3 cal year 2015”.

4 **SEC. 129. RETAILER TRAFFICKING.**

5 The Food and Nutrition Act of 2008 (7 U.S.C. 2011  
6 et seq.) is amended by adding at the end the following:

7 **“SEC. 29. RETAILER TRAFFICKING.**

8 “(a) PURPOSE.—The purpose of this section is to  
9 provide the Department of Agriculture with additional re-  
10 sources to prevent trafficking in violation of this Act by  
11 strengthening recipient and retailer program integrity.  
12 Additional funds are provided to supplement the Depart-  
13 ment’s payment accuracy, and retailer and recipient integ-  
14 rity activities.

15 “(b) FUNDING.—

16 “(1) IN GENERAL.—Out of any funds in the  
17 Treasury not otherwise appropriated, the Secretary  
18 of the Treasury shall transfer to the Secretary to  
19 carry out this section not less than \$5,000,000 for  
20 fiscal year 2014 and each fiscal year thereafter.

21 “(2) RECEIPT AND ACCEPTANCE.—The Sec-  
22 retary shall be entitled to receive, shall accept, and  
23 shall use to carry out this section the funds trans-  
24 ferred under paragraph (1) without further appro-  
25 priation.



1           “(3) MAINTENANCE OF FUNDING.—The fund-  
2           ing provided under paragraph (1) shall supplement  
3           (and not supplant) other Federal funding for pro-  
4           grams carried out under this Act.”.

5 **SEC. 130. TECHNICAL AND CONFORMING AMENDMENTS.**

6           (a) Section 3 of the Food and Nutrition Act of 2008  
7 (7 U.S.C. 2012) is amended—

8           (1) in subsection (g) by striking “coupon,” the  
9           last place it appears and inserting “coupon”;

10           (2) in subsection (k)(7) by striking “or are”  
11           and inserting “and”;

12           (3) by striking subsection (l);

13           (4) by redesignating subsections (m) through  
14           (t) as subsections (l) through (s), respectively; and

15           (5) by inserting after subsection (s) (as so re-  
16           designated) the following:

17           “(t) ‘Supplemental nutritional assistance program’  
18           means the program operated pursuant to this Act.”.

19           (b) Section 4(a) of the Food and Nutrition Act of  
20           2008 (7 U.S.C. 2013(a)) is amended by striking “bene-  
21           fits” the last place it appears and inserting “Benefits”.

22           (c) Section 5 of the Food and Nutrition Act of 2008  
23           (7 U.S.C. 2014) is amended—

1           (1) in the last sentence of subsection (i)(2)(D)  
2           by striking “section 13(b)(2)” and inserting “section  
3           13(b)”;

4           (2) in subsection (k)(4)(A) by striking “para-  
5           graph (2)(H)” and inserting “paragraph (2)(G)”.

6           (d) Section 6(d)(4) of the Food and Nutrition Act  
7 of 2008 (7 U.S.C. 2015(d)(4)) is amended—

8           (1) in subparagraph (B)(vii) by moving the left  
9           margin 4 ems to the left, and

10           (2) in subparagraph (F)(iii) by moving the left  
11           margin 6 ems to the left.

12           (e) Section 7(h) of the Food and Nutrition Act of  
13 2008 (7 U.S.C. 2016(h)) is amended by redesignating the  
14 2d paragraph (12) as paragraph (13).

15           (f) Section 12 of the Food and Nutrition Act of 2008  
16 (7 U.S.C. 2021) is amended—

17           (1) in subsection (b)(3)(C) by striking “civil  
18           money penalties” and inserting “civil penalties”; and

19           (2) in subsection (g)(1) by striking “(7 U.S.C.  
20           1786)” and inserting “(42 U.S.C. 1786)”.

21           (g) Section 15(b)(1) of the Food and Nutrition Act  
22 of 2008 (7 U.S.C. 2024(b)(1)) is amended in the 1st sen-  
23 tence by striking “an benefit” both places it appears and  
24 inserting “a benefit”.

1 (h) Section 16(a) of the Food and Nutrition Act of  
2 2008 (7 U.S.C. 2025(a)) is amended in the proviso fol-  
3 lowing paragraph (8) by striking “, as amended.”.

4 (i) Section 18(e) of the Food and Nutrition Act of  
5 2008 (7 U.S.C. 2027(e)) is amended in the 1st sentence  
6 by striking “sections 7(f)” and inserting “section 7(f)”.

7 (j) Section 22(b)(10)(B)(i) of the Food and Nutrition  
8 Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in  
9 the last sentence by striking “Food benefits” and inserting  
10 “Benefits”.

11 (k) Section 26(f)(3)(C) of the Food and Nutrition  
12 Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by strik-  
13 ing “subsection” and inserting “subsections”.

14 (l) Section 27(a)(1) of the Food and Nutrition Act  
15 of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking  
16 “(Public Law 98–8; 7 U.S.C. 612c note)” and inserting  
17 “(7 U.S.C. 7515)”.

18 (m) Section 509 of the Older Americans Act of 1965  
19 (42 U.S.C. 3056g) is amended in the section heading by  
20 striking “**FOOD STAMP PROGRAMS**” and inserting  
21 “**SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**  
22 **GRAM**”.

23 (n) Section 4115(c)(2)(H) of the Food, Conservation,  
24 and Energy Act of 2008 (Public Law 110–246; 122 Stat.  
25 1871) is amended by striking “531” and inserting “454”.

1 (o) Section 3803(e)(2)(C)(vii) of title 31 of the  
2 United States Code is amended by striking “section 3(l)”  
3 and inserting “section 3(s)”.

4 (p) Section 115 of the Personal Responsibility and  
5 Work Opportunity Reconciliation Act of 1996 (Public Law  
6 104–193) is amended—

7 (1) in subsection (a)(2) by striking “section  
8 3(l)” and inserting “section 3(s)”;

9 (2) in subsection (b)(2) by striking “section  
10 3(l)” and inserting “section 3(s)”;

11 (3) in subsection (e)(2) by striking “section  
12 3(l)” and inserting “section 3(s)”.

13 (q) The Agriculture and Consumer Protection Act of  
14 1973 (7 U.S.C. 612c) is amended—

15 (1) in section 4(a) by striking “Food Stamp  
16 Act of 1977” and inserting “Food and Nutrition Act  
17 of 2008”; and

18 (2) in section 5—

19 (A) in subsection (i)(1) by striking “Food  
20 Stamp Act of 1977” and inserting “Food and  
21 Nutrition Act of 2008”; and

22 (B) in subsection (l)(2)(B) by striking  
23 “Food Stamp Act of 1977” and inserting  
24 “Food and Nutrition Act of 2008”.

1 (r) The Social Security Act (42 U.S.C. 301 et seq.)  
2 is amended—

3 (1) in the heading of section 453(j)(10) by  
4 striking “FOOD STAMP” and inserting “SUPPLE-  
5 MENTAL NUTRITION ASSISTANCE”;

6 (2) in section 1137—

7 (A) in subsection (a)(5)(B) by striking  
8 “food stamp” and inserting “supplemental nu-  
9 trition assistance”; and

10 (B) in subsection (b)(4) by striking “food  
11 stamp program under the Food Stamp Act of  
12 1977” and inserting “supplemental nutrition  
13 assistance program under the Food and Nutri-  
14 tion Act of 2008”; and

15 (3) in the heading of section 1631(n) by strik-  
16 ing “FOOD STAMP” and inserting “SUPPLEMENTAL  
17 NUTRITION ASSISTANCE”.

18 **SEC. 131. TOLERANCE LEVEL FOR EXCLUDING SMALL ER-**  
19 **RORS.**

20 The Secretary shall set the tolerance level for exclud-  
21 ing small errors for the purposes of section 16(c) of the  
22 Food and Nutrition Act of 2008 (7 U.S.C. 2025(c))—

23 (1) for fiscal year 2014 at an amount no great-  
24 er than \$25; and

1           (2) for each fiscal year thereafter, the amount  
2           specified in paragraph (1) adjusted by the percent-  
3           age by which the thrifty food plan is adjusted under  
4           section 3(u)(4) of such Act between June 30, 2012,  
5           and June 30 of the immediately preceding fiscal  
6           year.

7 **SEC. 132. COMMONWEALTH OF THE NORTHERN MARIANA**  
8                                   **ISLANDS PILOT PROGRAM.**

9           (a) STUDY.—

10           (1) IN GENERAL.—Prior to establishing the  
11           pilot program under subsection (b), the Secretary  
12           shall conduct a study to be completed not later than  
13           2 years after the effective date of this section to as-  
14           sess—

15                           (A) the capabilities of the Commonwealth  
16                           of the Northern Mariana Islands to operate the  
17                           supplemental nutrition assistance program in  
18                           the same manner in which the program is oper-  
19                           ated in the States (as defined in section 3 of  
20                           the Food and Nutrition Act (7 U.S.C. 2011 et  
21                           seq.)); and

22                           (B) alternative models of the supplemental  
23                           nutrition assistance program operation and ben-  
24                           efit delivery that best meet the nutrition assist-

1           ance needs of the Commonwealth of the North-  
2           ern Mariana Islands.

3           (2) SCOPE.—The study conducted under para-  
4           graph (1)(A) will assess the capability of the Com-  
5           monwealth to fulfill the responsibilities of a State  
6           agency, including—

7                   (A) extending and limiting participation to  
8                   eligible households, as prescribed by sections 5  
9                   and 6 of the Act;

10                   (B) issuing benefits through EBT cards,  
11                   as prescribed by section 7 of the Act;

12                   (C) maintaining the integrity of the pro-  
13                   gram, including operation of a quality control  
14                   system, as prescribed by section 16(c) of the  
15                   Act;

16                   (D) implementing work requirements, in-  
17                   cluding operating an employment and training  
18                   program, as prescribed by section 6(d) of the  
19                   Act; and

20                   (E) paying a share of administrative costs  
21                   with non-Federal funds, as prescribed by sec-  
22                   tion 16(a) of the Act.

23           (b) ESTABLISHMENT.—If the Secretary determines  
24           that a pilot program is feasible, the Secretary shall estab-  
25           lish a pilot program for the Commonwealth of the North-

1 ern Mariana Islands to operate the supplemental nutrition  
2 assistance program in the same manner in which the pro-  
3 gram is operated in the States.

4 (c) SCOPE.—The Secretary shall utilize the informa-  
5 tion obtained from the study conducted under subsection  
6 (a) to establish the scope of the pilot program established  
7 under subsection (b).

8 (d) REPORT.—Not later than June 30, 2019, the  
9 Secretary shall submit to the Committee on Agriculture  
10 of the House of Representatives and the Committee on  
11 Agriculture, Nutrition, and Forestry of the Senate a re-  
12 port on the pilot program carried out under this section,  
13 including an analysis of the feasibility of operating in the  
14 Commonwealth of the Northern Mariana Islands the sup-  
15 plemental nutrition assistance program as it is operated  
16 in the States.

17 (e) FUNDING.—

18 (1) STUDY.—Of the funds made available under  
19 section 18(a)(1) of the Food and Nutrition Act of  
20 2008, the Secretary may use not more than  
21 \$1,000,000 in each of fiscal years 2014 and 2015 to  
22 conduct the study described in subsection (a).

23 (2) PILOT PROGRAM.—Of the funds made avail-  
24 able under section 18(a)(1) of the Food and Nutri-  
25 tion Act of 2008, for the purposes of establishing



1 and carrying out the pilot program established under  
2 subsection (b) of this section, including the Federal  
3 costs for providing technical assistance to the Com-  
4 monwealth, authorizing and monitoring retail food  
5 stores, and assessing pilot operations, the Secretary  
6 may use not more than—

7 (A) \$13,500,000 in fiscal year 2016; and

8 (B) \$8,500,000 in each of fiscal years  
9 2017 and 2018.

10 **SEC. 133. ANNUAL STATE REPORT ON VERIFICATION OF**  
11 **SNAP PARTICIPATION.**

12 (a) ANNUAL REPORT.—Not later 1 year after the  
13 date specified by the Secretary in the 180-period begin-  
14 ning on the date of the enactment of this Act, and annu-  
15 ally thereafter, each State agency that carries out the sup-  
16 plemental nutrition assistance program shall submit to the  
17 Secretary a report containing sufficient information for  
18 the Secretary to determine whether the State agency has,  
19 for the then most recently concluded fiscal year preceding  
20 such annual date, verified that households to which such  
21 State agency provided such assistance in such fiscal  
22 year—

23 (1) did not obtain benefits attributable to a de-  
24 ceased individual;



1 (A) food service at a residential child care  
2 facility with a license from an appropriate State  
3 agency;

4 (B) a child nutrition program (as defined  
5 in section 25(b) of the Richard B. Russell Na-  
6 tional School Lunch Act (42 U.S.C. 1769f(b));

7 (C) food service at a hospital or clinic or  
8 long term care facility; and

9 (D) a senior meal program.

10 (2) INDIAN; INDIAN TRIBE; INDIAN TRIBAL OR-  
11 GANIZATION.—The terms “Indian”; “Indian tribe”;  
12 and “Indian Tribal Organization” have the mean-  
13 ings given those terms in section 4 of the Indian  
14 Self-Determination and Education Assistance Act  
15 (25 U.S.C. 450b).

16 (3) TRADITIONAL FOOD.—

17 (A) IN GENERAL.—The term “traditional  
18 food” means food that has traditionally been  
19 prepared and consumed by an Indian tribe.

20 (B) INCLUSIONS.—The term “traditional  
21 food” includes—

22 (i) wild game meat;

23 (ii) fish;

24 (iii) seafood;

25 (iv) marine mammals;

1 (v) plants; and

2 (vi) berries.

3 (b) PROGRAM.—Notwithstanding any other provision  
4 of law, the Secretary shall allow the donation to and serv-  
5 ing of traditional food through a food service program at  
6 a public facility, nonprofit facility, including facilities oper-  
7 ated by an Indian tribe or tribal organization that pri-  
8 marily serves Indians if the operator of the food service  
9 program—

10 (1) ensures that the food is received whole, gut-  
11 ted, gilled, as quarters, or as a roast, without fur-  
12 ther processing;

13 (2) makes a reasonable determination that—

14 (A) the animal was not diseased;

15 (B) the food was butchered, dressed, trans-  
16 ported, and stored to prevent contamination,  
17 undesirable microbial growth, or deterioration;  
18 and

19 (C) the food will not cause a significant  
20 health hazard or potential for human illness;

21 (3) carries out any further preparation or proc-  
22 essing of the food at a different time or in a dif-  
23 ferent space from the preparation or processing of  
24 other food for the applicable program to prevent  
25 cross-contamination;

1           (4) cleans and sanitizes food-contact surfaces of  
2           equipment and utensils after processing the tradi-  
3           tional food; and

4           (5) labels donated traditional food with the  
5           name of the food and stores the traditional food sep-  
6           arately from other food for the applicable program,  
7           including through storage in a separate freezer or  
8           refrigerator or in a separate compartment or shelf in  
9           the freezer or refrigerator.

10          (c) **LIABILITY.**—Liability for damages from donated  
11         traditional food and products to the participating food  
12         service program shall not be subject to civil or criminal  
13         liability arising from the nature, age, packaging, or condi-  
14         tion of donated food.

15         **SEC. 136. TESTING APPLICANTS FOR UNLAWFUL USE OF**  
16                                 **CONTROLLED SUBSTANCES.**

17         Section 6 of the Food and Nutrition Act of 2008 (7  
18         U.S.C. 2015), as amended by section 109, is amended by  
19         adding at the end the following:

20                 “(s) **TESTING APPLICANTS FOR UNLAWFUL USE OF**  
21         **CONTROLLED SUBSTANCES.**—

22                 “(1) Nothing in this Act, or in any other Fed-  
23         eral law, shall be considered to prevent a State, at  
24         the full cost to such State, from—

1           “(A) enacting legislation to provide for  
2           testing any individual who is a member of a  
3           household applying for supplemental nutrition  
4           assistance benefits, for the unlawful use of con-  
5           trolled substances as a condition for receiving  
6           such benefits; and

7           “(B) finding an individual ineligible to par-  
8           ticipate in the supplemental nutrition assistance  
9           program on the basis of the positive result of  
10          the testing conducted by the State under such  
11          legislation.

12          “(2) For purposes of this subsection, term ‘con-  
13          trolled substance’ has the meaning given such term  
14          in section 102 of the Controlled Substances Act ((21  
15          U.S.C. 802).”.

16 **SEC. 137. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN**  
17 **CONVICTED FELONS.**

18          (a) AMENDMENT.—Section 6 of the Food and Nutri-  
19          tion Act of 2008 (7 U.S.C. 2015), as amended by sections  
20          109 and 135, is amended by adding at the end the fol-  
21          lowing:

22          “(t) DISQUALIFICATION FOR CERTAIN CONVICTED  
23          FELONS.—

1           “(1) IN GENERAL.—An individual shall not be  
2 eligible for benefits under this Act if the individual  
3 is convicted of—

4           “(A) aggravated sexual abuse under sec-  
5 tion 2241 of title 18, United States Code;

6           “(B) murder under section 1111 of title  
7 18, United States Code;

8           “(C) an offense under chapter 110 of title  
9 18, United States Code;

10           “(D) a Federal or State offense involving  
11 sexual assault, as defined in 40002(a) of the  
12 Violence Against Women Act of 1994 (42  
13 U.S.C. 13925(a)); or

14           “(E) an offense under State law deter-  
15 mined by the Attorney General to be substan-  
16 tially similar to an offense described in sub-  
17 paragraph (A), (B), or (C).

18           “(2) EFFECTS ON ASSISTANCE AND BENEFITS  
19 FOR OTHERS.—The amount of benefits otherwise re-  
20 quired to be provided to an eligible household under  
21 this Act shall be determined by considering the indi-  
22 vidual to whom paragraph (1) applies not to be a  
23 member of such household, except that the income  
24 and resources of the individual shall be considered to  
25 be income and resources of the household.





1 **SEC. 139. PILOT PROJECTS TO PROMOTE WORK AND IN-**  
2 **CREASE STATE ACCOUNTABILITY IN THE**  
3 **SUPPLEMENTAL NUTRITION ASSISTANCE**  
4 **PROGRAM.**

5 (a) PILOT PROJECTS.—Section 17 of the Food and  
6 Nutrition Act of 2008 (7 U.S.C. 2026), as amended by  
7 sections 122 and 123, is amended by adding at the end  
8 the following:

9 “(n) PILOT PROJECTS TO PROMOTE WORK AND IN-  
10 CREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL  
11 NUTRITION ASSISTANCE PROGRAM.—

12 “(1) IN GENERAL.—The Secretary shall carry  
13 out pilot projects to develop and test methods allow-  
14 ing States to run a work program with certain fea-  
15 tures comparable to the State program funded under  
16 part A of title IV of the Social Security Act (42  
17 U.S.C. 601 et seq.), with the intent of increasing  
18 employment and self-sufficiency through increased  
19 State accountability and thereby reducing the need  
20 for supplemental nutrition assistance benefits.

21 “(2) AGREEMENTS.—

22 “(A) IN GENERAL.—In carrying out this  
23 subsection, the Secretary shall enter into coop-  
24 erative agreements with States in accordance  
25 with pilot projects that meet the criteria re-  
26 quired under this subsection.

1           “(B) APPLICATION.—To be eligible to  
2 enter into a cooperative agreement to operate a  
3 pilot project under this subsection, a State shall  
4 amend its State plan under section 11(d) to in-  
5 clude a description of its pilot project and ex-  
6 planations of how such project meets the cri-  
7 teria required under this subsection. The Sec-  
8 retary may not disapprove a pilot project which  
9 meets the requirements under this subsection.

10           “(C) ASSURANCES.—A State shall include  
11 in its plan assurances that its pilot project  
12 will—

13                   “(i) operate for at least three 12-  
14 month periods but not more than five 12-  
15 month periods;

16                   “(ii) have a robust data collection sys-  
17 tem for program administration that is de-  
18 signed and shared with project evaluators  
19 to ensure proper and timely evaluation;  
20 and

21                   “(iii) intend to offer a work activity  
22 described in paragraph (3) to adults as-  
23 signed and required to participate under  
24 paragraph (4)(A) and who are not exempt  
25 under paragraph (4)(B).

1           “(D) NUMBER OF PILOT PROJECTS.—Any  
2 State may carry out a pilot project that meets  
3 the requirements of this subsection.

4           “(E) EXTENT OF PILOT PROJECTS.—Pilot  
5 projects shall cover no less than the entire  
6 State.

7           “(3) WORK ACTIVITY.—(A) For purposes of  
8 this subsection, the term ‘work activity’ means any  
9 of the following:

10           “(i) Employment in the public or private  
11 sector that is not subsidized by any public pro-  
12 gram.

13           “(ii) Employment in the private sector for  
14 which the employer receives a subsidy from  
15 public funds to offset some or all of the wages  
16 and costs of employing an adult.

17           “(iii) Employment in the public sector for  
18 which the employer receives a subsidy from  
19 public funds to offset some or all of the wages  
20 and costs of employing an adult.

21           “(iv) A work activity that—

22           “(I) is performed in return for public  
23 benefits;

24           “(II) provides an adult with an oppor-  
25 tunity to acquire the general skills, knowl-

1 edge, and work habits necessary to obtain  
2 employment;

3 “(III) is designed to improve the em-  
4 ployability of those who cannot find unsub-  
5 sidized employment; and

6 “(IV) is supervised by an employer,  
7 work site sponsor, or other responsible  
8 party on an ongoing basis.

9 “(v) Training in the public or private sec-  
10 tor that is given to a paid employee while he or  
11 she is engaged in productive work and that pro-  
12 vides knowledge and skills essential to the full  
13 and adequate performance of the job.

14 “(vi) Job search, obtaining employment, or  
15 preparation to seek or obtain employment, in-  
16 cluding—

17 “(I) life skills training;

18 “(II) substance abuse treatment or  
19 mental health treatment, determined to be  
20 necessary and documented by a qualified  
21 medical, substance abuse, or mental health  
22 professional; or

23 “(III) rehabilitation activities,  
24 supervised by a public agency or other respon-  
25 sible party on an ongoing basis.

1           “(vii) Structured programs and embedded  
2 activities—

3           “(I) in which adults perform work for  
4 the direct benefit of the community under  
5 the auspices of public or nonprofit organi-  
6 zations;

7           “(II) that are limited to projects that  
8 serve useful community purposes in fields  
9 such as health, social service, environ-  
10 mental protection, education, urban and  
11 rural redevelopment, welfare, recreation,  
12 public facilities, public safety, and child  
13 care;

14           “(III) that are designed to improve  
15 the employability of adults not otherwise  
16 able to obtain unsubsidized employment;  
17 and

18           “(IV) that are supervised on an ongo-  
19 ing basis; and

20           “(V) with respect to which a State  
21 agency takes into account, to the extent  
22 possible, the prior training, experience, and  
23 skills of a recipient in making appropriate  
24 community service assignments.

1           “(viii) Career and technical training pro-  
2           grams (not to exceed 12 months with respect to  
3           any adult) that are directly related to the prep-  
4           aration of adults for employment in current or  
5           emerging occupations and that are supervised  
6           on an ongoing basis.

7           “(ix) Training or education for job skills  
8           that are required by an employer to provide an  
9           adult with the ability to obtain employment or  
10          to advance or adapt to the changing demands  
11          of the workplace and that are supervised on an  
12          ongoing basis.

13          “(x) Education that is related to a specific  
14          occupation, job, or job offer and that is super-  
15          vised on an ongoing basis.

16          “(xi) In the case of an adult who has not  
17          completed secondary school or received such a  
18          certificate of general equivalence, regular at-  
19          tendance—

20                 “(I) in accordance with the require-  
21                 ments of the secondary school or course of  
22                 study, at a secondary school or in a course  
23                 of study leading to such certificate; and

24                 “(II) supervised on an ongoing basis.

1           “(xii) Providing child care to enable an-  
2           other recipient of public benefits to participate  
3           in a community service program that—

4                   “(I) does not provide compensation  
5                   for such community service;

6                   “(II) is a structured program de-  
7                   signed to improve the employability of  
8                   adults who participate in such program;  
9                   and

10                   “(III) is supervised on an ongoing  
11                   basis.

12           “(B) PROTECTIONS.—Work activities under  
13           this subsection shall be subject to all applicable  
14           health and safety standards. Except as described in  
15           clauses (i), (ii), and (iii) of subparagraph (A), the  
16           term ‘work activity’ shall be considered work prepa-  
17           ration and not defined as employment for purposes  
18           of other law.

19           “(4) PILOT PROJECTS.—Pilot projects carried  
20           out under this subsection shall include interventions  
21           to which adults are assigned that are designed to re-  
22           duce unnecessary dependence, promote self-suffi-  
23           ciency, increase work levels, increase earned income,  
24           and reduce supplemental nutrition assistance benefit  
25           expenditures among households eligible for, applying

1 for, or participating in the supplemental nutrition  
2 assistance program.

3 “(A) Adults assigned to interventions by  
4 the State shall—

5 “(i) be subject to mandatory partici-  
6 pation in work activities specified in para-  
7 graph (3);

8 “(ii) participate in work activities  
9 specified in paragraph (3) for a minimum  
10 of 20 hours per week per household;

11 “(iii) be a maximum age of not less  
12 than 50 and not more than 60, as defined  
13 by the State;

14 “(iv) be subject to penalties during a  
15 period of nonparticipation without good  
16 cause ranging from, at State option, a  
17 minimum of the removal of the adults from  
18 the household benefit amount, up to a  
19 maximum of the discontinuance of the en-  
20 tire household benefit amount; and

21 “(v) not be penalized for nonparticipa-  
22 tion if child care is not available for 1 or  
23 more children under 6 years of age.

24 “(B) The State shall allow certain individ-  
25 uals to be exempt from work requirements—



1           “(i) those participating in work pro-  
2           grams under a State program funded  
3           under part A of title IV of the Social Secu-  
4           rity Act (42 U.S.C. 601 et seq.) for an  
5           equal or greater number of hours;

6           “(ii) those with 1 or more dependent  
7           children under 1 year of age;

8           “(iii) 1 adult family member per  
9           household who is needed in the home to  
10          care for a disabled family member;

11          “(iv) an adult who is receiving tem-  
12          porary or permanent disability benefits  
13          provided by a governmental entity; and

14          “(v) those with a good cause reason  
15          for nonparticipation, such as victims of do-  
16          mestic violence, as defined by the State.

17          “(5) EVALUATION AND REPORTING.—

18                 “(A) EVALUATION.—

19                         “(i) INDEPENDENT EVALUATION.—

20                                 “(I) IN GENERAL.—The Sec-  
21                                 retary shall provide for each State  
22                                 that enters into a cooperative agree-  
23                                 ment under paragraph (2) an inde-  
24                                 pendent, longitudinal evaluation of its  
25                                 pilot project under this subsection to

1 determine total program savings over  
2 the entire course of the pilot project  
3 with results reported in consecutive  
4 12-month increments.

5 “(II) PURPOSE.—The purpose of  
6 the evaluation is to measure the im-  
7 pact of interventions provided by the  
8 State under the pilot project on the  
9 ability of adults in households eligible  
10 for, applying for, or participating in  
11 the supplemental nutrition assistance  
12 program to find and retain employ-  
13 ment that leads to increased house-  
14 hold income and reduced dependency.

15 “(III) REQUIREMENT.—The  
16 independent evaluation under sub-  
17 clause (I) shall use valid statistical  
18 methods which can determine the dif-  
19 ference between supplemental nutri-  
20 tion assistance benefit expenditures, if  
21 any, as a result of the interventions as  
22 compared to a control group that—

23 “(aa) is not subject to the  
24 interventions provided by the

1 State under the pilot project  
2 under this subsection; and

3 “(bb) maintains services  
4 provided under 16(h) in the year  
5 prior to the start of the pilot  
6 project under this subsection.

7 “(IV) OPTION.—States shall  
8 have the option to evaluate pilot  
9 projects by matched counties or  
10 matched geographical areas using a  
11 constructed control group design to  
12 isolate the effects of the intervention  
13 of the pilot project.

14 “(V) DEFINITION.—Constructed  
15 control group means there is no ran-  
16 dom assignment, and instead program  
17 participants (those subject to inter-  
18 ventions) and non-participants (con-  
19 trol described in subclause (III)) are  
20 equated using matching or statistical  
21 procedures on characteristics that  
22 may be associated with program out-  
23 comes.

24 “(B) REPORTING.—Not later than 90 days  
25 after the end of fiscal year 2014 and of each

1 fiscal year thereafter, until the completion of  
2 the last evaluation under subparagraph (A), the  
3 Secretary shall submit to the Committee on Ag-  
4 riculture of the House of Representatives and  
5 the Committee on Agriculture, Nutrition, and  
6 Forestry of the Senate, a report that includes  
7 a description of—

8 “(i) the status of each pilot project  
9 carried out under this subsection;

10 “(ii) the results of the evaluation com-  
11 pleted during the previous fiscal year; and

12 “(iii) to the maximum extent prac-  
13 ticable—

14 “(I) baseline information relevant  
15 to the stated goals and desired out-  
16 comes of the pilot project;

17 “(II) the impact of the interven-  
18 tions on appropriate employment, in-  
19 come, and public benefit receipt out-  
20 comes among households participating  
21 in the pilot project;

22 “(III) equivalent information  
23 about similar or identical measures  
24 for control groups;

1                   “(IV) the planned dissemination  
2                   of the report findings to State agen-  
3                   cies; and

4                   “(V) the steps and funding nec-  
5                   essary to incorporate into State em-  
6                   ployment and training programs the  
7                   components of pilot projects that dem-  
8                   onstrate increased employment and  
9                   earnings.

10                   “(C) PUBLIC DISSEMINATION.—In addi-  
11                   tion to the reporting requirements under sub-  
12                   paragraph (B), evaluation results shall be  
13                   shared broadly to inform policy makers, service  
14                   providers, other partners, and the public in  
15                   order to promote wide use of successful strate-  
16                   gies, including by posting evaluation results on  
17                   the Internet website of the Department of Agri-  
18                   culture.

19                   “(6) FUNDING.—

20                   “(A) ADDITIONAL AVAILABLE FUNDS.—  
21                   From amounts made available under section  
22                   18(a)(1), the Secretary shall make available—

23                   “(i) up to \$1,000,000 for each of the  
24                   fiscal years 2014 through 2017 for evalua-  
25                   tions described in paragraph (5) to carry

1 out this subsection, with such amounts to  
2 remain available until expended; and

3 “(ii) amounts equal to one-half of the  
4 accumulated supplemental nutrition assist-  
5 ance benefit dollars saved over each con-  
6 secutive 12-month period according to the  
7 evaluation under paragraph (5) for bonus  
8 grants to States under paragraph (7)(B).

9 “(B) ADMINISTRATIVE EXPENSES.—

10 “(i) REIMBURSEMENT.—Except as  
11 provided in clause (ii)—

12 “(I) if, in carrying out a pilot  
13 project under this subsection during a  
14 fiscal year, a State incurs costs that  
15 exceed the amount allocated to the  
16 State agency under section 16(h)(1),  
17 the Secretary shall pay such State an  
18 amount equal to 50 percent of such  
19 costs; and

20 “(II) the Secretary shall also re-  
21 imburse the State in an amount equal  
22 to 50 percent of the total amount of  
23 payments made or costs incurred by  
24 the State agency in connection with  
25 transportation costs and other ex-

1                   penses reasonably necessary and di-  
2                   rectly related to participation in a  
3                   pilot project under this subsection, ex-  
4                   cept that the amount of the reim-  
5                   bursement for dependent care ex-  
6                   penses shall not exceed an amount  
7                   equal to the payment made under sec-  
8                   tion 6(d)(4)(I)(i)(II) but not more  
9                   than the applicable local market rate,  
10                  and such reimbursement shall not be  
11                  made out of funds allocated under  
12                  section 16(h)(1).

13                  “(ii) LIMITATION.—For any fiscal  
14                  year, the Secretary may not pay under  
15                  clause (i) to a State an amount the exceeds  
16                  the amount equal to the product of—

17                                  “(I) the amount of administrative  
18                                  expenses that would be reimbursable  
19                                  for such fiscal year to such State  
20                                  under clause (i) without regard to this  
21                                  clause; and

22                                  “(II) \$277,000,000 (plus the  
23                                  amount carried over, if any, under  
24                                  clause (iii)), divided by the aggregate  
25                                  amount of administrative expenses

1                   that would be reimbursable for such  
2                   fiscal year to all of the States under  
3                   clause (i) without regard to this  
4                   clause.

5                   “(iii) CARRYOVER.—The amount by  
6                   which \$277,000,000 exceeds the aggregate  
7                   amount paid under clause (i) for a par-  
8                   ticular fiscal year shall remain available for  
9                   payments under such clause for any subse-  
10                  quent fiscal year.

11                  “(C) OTHER FUNDS.—Any additional  
12                  funds required by a State to carry out a pilot  
13                  project under this subsection may be provided  
14                  by the State from funds made available to the  
15                  State for such purpose and in accordance with  
16                  State and other Federal laws, including the fol-  
17                  lowing:

18                         “(i) Section 403 of the Social Security  
19                         Act (42 U.S.C. 603).

20                         “(ii) The Workforce Investment Act  
21                         of 1998 (29 U.S.C. 9201 et seq.).

22                         “(iii) The Child Care and Develop-  
23                         ment Block Grant Act of 1990 (42 U.S.C.  
24                         9858 et seq.) and section 418 of the Social  
25                         Security Act (42 U.S.C. 618).



1           “(iv) The social services block grant  
2           under subtitle A of title XX of the Social  
3           Security Act (42 U.S.C. 1397 et seq.).

4           “(7) USE OF FUNDS.—

5           “(A) SPECIFIC USES.—Funds provided  
6           under this subsection for evaluation of pilot  
7           projects under paragraph (6)(A)(i) shall be  
8           used only for—

9           “(i) pilot projects that comply with  
10          this subsection;

11          “(ii) the costs incurred in gathering  
12          and providing information and data used  
13          to conduct the independent evaluation  
14          under paragraph (5); and

15          “(iii) the costs of the evaluation under  
16          paragraph (5).

17          “(B) LIMITATION.—Funds provided for  
18          bonus grants to States for pilot projects under  
19          subparagraph (6)(A)(ii) shall be used only for—

20          “(i) pilot projects that comply with  
21          this subsection; and

22          “(ii) any State purpose, not to be re-  
23          stricted to the supplemental nutrition as-  
24          sistance program or its beneficiary popu-  
25          lation.”.

1 (b) CONFORMING AMENDMENTS.—The Food and  
2 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amend-  
3 ed—

4 (1) in section 16, as amended by section 121 of  
5 this Act—

6 (A) in subsection (a) by striking “sub-  
7 section (k)” and inserting “subsections (k) and  
8 (h) and section 20”; and

9 (B) in subsection (h)—

10 (i) in paragraph (1)—

11 (I) in subparagraph (A) by in-  
12 serting “under sections 6(d)(4) and  
13 17(n)” after “programs”; and

14 (II) by striking subparagraph  
15 (E);

16 (ii) by striking paragraphs (2) and  
17 (3), and inserting the following:

18 “(2) EXCLUSION OF REIMBURSEMENT FOR AD-  
19 MINISTRATIVE COSTS.—No funds may be paid under  
20 subsection (a) to a State agency for administrative  
21 costs incurred to carry out any of such programs in  
22 such fiscal year.”;

23 (iii) in paragraph (4) by inserting “or  
24 17(n)” after “section 6(d)(4)”; and

1 (iv) by redesignating paragraphs (4)  
2 and (5) as paragraphs (3) and (4), respec-  
3 tively;

4 (2) in section 20 by amending subsection (g) to  
5 read as follows:

6 “(g) EXCLUSION OF REIMBURSEMENT FOR ADMINIS-  
7 TRATIVE COSTS.—No funds may be paid under this sec-  
8 tion to a State agency for administrative costs incurred  
9 to carry out a workfare program operated under this sec-  
10 tion.”; and

11 (3) in section 22(d)(1)(B)(ii) by striking “, (g),  
12 (h)(2), and (h)(3)” and inserting “and (g)”.

13 **SEC. 140. IMPROVED WAGE VERIFICATION USING THE NA-**  
14 **TIONAL DIRECTORY OF NEW HIRES.**

15 Effective October 1, 2013, section 11(e) of the Food  
16 and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amend-  
17 ed—

18 (1) in paragraph (3) by inserting “and after  
19 compliance with the requirement specified in para-  
20 graph (24)” after “section 16(e) of this Act”,

21 (2) in paragraph (22) by striking “and” at the  
22 end,

23 (3) in paragraph (23) by striking the period at  
24 the end and inserting “; and”, and

25 (4) by adding at the end the following:

1           “(24) that the State agency shall request wage  
2 data directly from the National Directory of New  
3 Hires established under section 453(i) of the Social  
4 Security Act (42 U.S.C. 653(i)) relevant to deter-  
5 mining eligibility to receive supplemental nutrition  
6 assistance program benefits and determining the  
7 correct amount of such benefits.”.

8 **SEC. 141. FEASIBILITY STUDY FOR INDIAN TRIBES.**

9           Section 4 of the Food and Nutrition Act of 2008 (7  
10 U.S.C. 2013) is amended by adding at the end the fol-  
11 lowing:

12           “(d) FEASIBILITY STUDY FOR INDIAN TRIBES.—

13           “(1) STUDY.—Subject to the availability of ap-  
14 propriations to carry out this subsection, the Sec-  
15 retary shall conduct a study to determine the feasi-  
16 bility of a tribal demonstration project for tribes to  
17 administer all Federal food assistance programs,  
18 services, functions, and activities (or portions there-  
19 of) of the agency.

20           “(2) CONSIDERATIONS.—In conducting the  
21 study, the Secretary shall consider—

22           “(A) the probable effects on specific pro-  
23 grams and program beneficiaries of such a  
24 demonstration project;

1           “(B) statutory, regulatory, or other im-  
2           pediments to implementation of such a dem-  
3           onstration project;

4           “(C) strategies for implementing such a  
5           demonstration project;

6           “(D) probable costs or savings associated  
7           with such a demonstration project;

8           “(E) methods to assure quality and ac-  
9           countability in such a demonstration project;  
10          and

11          “(F) such other issues that may be deter-  
12          mined by the Secretary or developed through  
13          consultation with pursuant to paragraph (4).

14          “(3) REPORT.—Not later than 18 months after  
15          the effective date of this subsection, the Secretary  
16          shall submit a report to the Committee on Agri-  
17          culture, Nutrition and Forestry of the Senate and  
18          the Committee on Agriculture of the House of Rep-  
19          resentatives. The report shall contain—

20                 “(A) the results of the study under this  
21                 subsection;

22                 “(B) a list of programs, services, functions,  
23                 and activities (or portions thereof) within each  
24                 agency with respect to which it would be fea-

1           sible to include in a tribal demonstration  
2           project;

3           “(C) a list of programs, services, functions,  
4           and activities (or portions thereof) included in  
5           the list provided pursuant to subparagraph (B)  
6           that could be included in a tribal demonstration  
7           project without amending a statute, or waiving  
8           regulations that the Secretary may not waiver;  
9           and

10          “(D) a list of legislative actions required in  
11          order to include those programs, services, func-  
12          tion, and activities (or portions thereof) in-  
13          cluded in the list provided pursuant to subpara-  
14          graph (B) but not included in the list provided  
15          pursuant to subparagraph (C), in a tribal dem-  
16          onstration project.

17          “(4) CONSULTATION WITH INDIAN TRIBES.—  
18          The Secretary shall consult with Indian tribes to de-  
19          termine a protocol for consultation under paragraph  
20          (1) prior to consultation under such paragraph with  
21          the other entities described in such paragraph. The  
22          protocol shall require, at a minimum, that—

23                 “(A) the government-to-government rela-  
24                 tionship with Indian tribes forms the basis for  
25                 the consultation process;

1           “(B) the Indian tribes and the Secretary  
2 jointly conduct the consultations required by  
3 this subsection; and

4           “(C) the consultation process allows for  
5 separate and direct recommendations from the  
6 Indian tribes and other entities described in  
7 paragraph (1).

8           “(5) AUTHORIZATION OF APPROPRIATIONS.—  
9 There is authorized to be appropriated to carry out  
10 this subsection \$1,000,000.”.

11           **TITLE II—COMMODITY**  
12           **DISTRIBUTION PROGRAMS**

13           **SEC. 201. COMMODITY DISTRIBUTION PROGRAM.**

14           Section 4(a) of the Agriculture and Consumer Protec-  
15 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93–  
16 86) is amended in the 1st sentence by striking “2012”  
17 and inserting “2016”.

18           **SEC. 202. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

19           Section 5 of the Agriculture and Consumer Protec-  
20 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93–  
21 86) is amended—

22           (1) in paragraphs (1) and (2)(B) of subsection  
23 (a) by striking “2012” each place it appears and in-  
24 serting “2016”;

1           (2) in the 1st sentence of subsection (d)(2) by  
2           striking “2012” and inserting “2016”;

3           (3) by striking subsection (g) and inserting the  
4           following:

5           “(g) ELIGIBILITY.—Except as provided in subsection  
6 (m), the States shall only provide assistance under the  
7 commodity supplemental food program to low-income indi-  
8 viduals aged 60 and older.”; and

9           (4) by adding at the end the following:

10          “(m) PHASE-OUT.—Notwithstanding any other pro-  
11 vision of law, an individual who receives assistance under  
12 the commodity supplemental food program on the day be-  
13 fore the effective date of this subsection shall continue to  
14 receive that assistance until the date on which the indi-  
15 vidual no longer qualifies for assistance under the eligi-  
16 bility criteria for the program in effect on the day before  
17 the effective date of this subsection.”.

18 **SEC. 203. DISTRIBUTION OF SURPLUS COMMODITIES TO**

19 **SPECIAL NUTRITION PROJECTS.**

20          Section 1114(a)(2)(A) of the Agriculture and Food  
21 Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the  
22 1st sentence by striking “2012” and inserting “2016”.



1 **SEC. 204. PROCESSING OF COMMODITIES.**

2 (a) Section 17 of the Commodity Distribution Reform  
3 Act and WIC Amendments of 1987 (7 U.S.C. 612c note)  
4 is amended by—

5 (1) striking the heading and inserting “**COM-**  
6 **MODITY DONATIONS AND PROCESSING**”; and

7 (2) adding at the end the following:

8 “(c) PROCESSING.—For any program included in  
9 subsection (b), the Secretary may, notwithstanding any  
10 other provision of State or Federal law relating to the pro-  
11 curement of goods and services—

12 “(1) retain title to commodities delivered to a  
13 processor, on behalf of a State (including a State  
14 distributing agency and a recipient agency), until  
15 such time as end products containing such commod-  
16 ities, or similar commodities as approved by the Sec-  
17 retary, are delivered to a State distributing agency  
18 or to a recipient agency; and

19 “(2) promulgate regulations to ensure account-  
20 ability for commodities provided to a processor for  
21 processing into end products, and to facilitate proc-  
22 essing of commodities into end products for use by  
23 recipient agencies. Such regulations may provide  
24 that—

25 “(A) a processor that receives commodities  
26 for processing into end products, or provides a

1 service with respect to such commodities or end  
2 products, in accordance with its agreement with  
3 a State distributing agency or a recipient agen-  
4 cy, provide to the Secretary a bond or other  
5 means of financial assurance to protect the  
6 value of such commodities; and

7 “(B) in the event a processor fails to de-  
8 liver to a State distributing agency or a recipi-  
9 ent agency an end product in conformance with  
10 the processing agreement entered into under  
11 this Act, the Secretary take action with respect  
12 to the bond or other means of financial assur-  
13 ance pursuant to regulations promulgated  
14 under this paragraph and distribute any pro-  
15 ceeds obtained by the Secretary to one or more  
16 State distributing agencies and recipient agen-  
17 cies as determined appropriate by the Sec-  
18 retary.”.

19 (b) DEFINITIONS.—Section 18 of the Commodity  
20 Distribution Reform Act and WIC Amendments of 1987  
21 (7 U.S.C. 612c note) is amended by striking paragraphs  
22 (1) and (2) and inserting the following:

23 “(1) The term ‘commodities’ means agricultural  
24 commodities and their products that are donated by  
25 the Secretary for use by recipient agencies.

1           “(2) The term ‘end product’ means a food  
2           product that contains processed commodities.”.

3           (c) TECHNICAL AND CONFORMING AMENDMENTS.—  
4           Section 3 of the Commodity Distribution Reform Act and  
5           WIC Amendments of 1987 (7 U.S.C. 612e note; Public  
6           Law 100–237) is amended—

7           (1) in subsection (a)—

8           (A) in paragraph (2) by striking subpara-  
9           graph (B) and inserting the following:

10           “(B) the program established under sec-  
11           tion 4(b) of the Food and Nutrition Act of  
12           2008 (7 U.S.C. 2013(b));”; and

13           (B) in paragraph (3)(D) by striking “the  
14           Committee on Education and Labor” and in-  
15           serting “the Committee on Education and the  
16           Workforce”;

17           (2) in subsection (b)(1)(A)(ii) by striking “sec-  
18           tion 32 of the Agricultural Adjustment Act (7  
19           U.S.C. 601 et seq.)” and inserting “section 32 of  
20           the Act of August 24, 1935 (7 U.S.C. 612e)”;

21           (3) in subsection (e)(1)(D)(iii) by striking sub-  
22           clause (II) and inserting the following:

23           “(II) the program established  
24           under section 4(b) of the Food and

1 Nutrition Act of 2008 (7 U.S.C.  
2 2013(b));” and

3 (4) in subsection (k) by striking “the Com-  
4 mittee on Education and Labor” and inserting “the  
5 Committee on Education and the Workforce”.

## 6 **TITLE III—MISCELLANEOUS**

### 7 **SEC. 301. FARMERS’ MARKET NUTRITION PROGRAM.**

8 Section 4402 of the Farm Security and Rural Invest-  
9 ment Act of 2002 (7 U.S.C. 3007) is amended—

10 (1) in the section heading by striking “**SEN-**  
11 **IORES**”;

12 (2) by amending subsection (a) to read as fol-  
13 lows:

14 “(a) FUNDING.—

15 “(1) IN GENERAL.—Of the funds of the Com-  
16 modity Credit Corporation, the Secretary of Agri-  
17 culture shall use to carry out and expand the farm-  
18 ers market nutrition program \$20,600,000 for each  
19 of fiscal years 2014 through 2016.

20 “(2) ADDITIONAL FUNDING.—There is author-  
21 ized to be appropriated such sums as are necessary  
22 to carry out this subsection for each of the fiscal  
23 years specified in paragraph (1).

24 “(3) REQUIREMENT.—Not less than 50 percent  
25 of the funds made available to carry out this section

1 in any fiscal year shall be used to provide assistance  
2 to seniors.”;

3 (3) in subsection (b)—

4 (A) in the matter preceding paragraph (1),  
5 by striking “seniors”; and

6 (B) in paragraph (1) by inserting “, and  
7 low-income families who are determined to be at  
8 nutritional risk” after “low-income seniors”;

9 (4) in subsection (c) by striking “seniors”;

10 (5) in subsection (d) by striking “seniors”;

11 (6) in subsection (e) by striking “seniors”;

12 (7) by redesignating subsections (c), (d), (e),  
13 and (f) as subsections (d), (e), (f), and (g), respec-  
14 tively; and

15 (8) by inserting after subsection (b) the fol-  
16 lowing:

17 “(c) STATE GRANTS AND OTHER ASSISTANCE.—The  
18 Secretary shall carry out the Program through grants and  
19 other assistance provided in accordance with agreements  
20 made with States, for implementation through State agen-  
21 cies and local agencies, that include provisions—

22 “(1) for the issuance of coupons or vouchers to  
23 participating individuals;

1           “(2) establishing an appropriate annual per-  
2           centage limitation on the use of funds for adminis-  
3           trative costs; and

4           “(3) specifying other terms and conditions as  
5           the Secretary deems appropriate to encourage ex-  
6           panding the participation of small scale farmers in  
7           Federal nutrition programs.”.

8 **SEC. 302. NUTRITION INFORMATION AND AWARENESS**  
9           **PILOT PROGRAM.**

10          Section 4403 of the Farm Security and Rural Invest-  
11          ment Act of 2002 (7 U.S.C. 3171 note; Public Law 107-  
12          171) is repealed.

13 **SEC. 303. FRESH FRUIT AND VEGETABLE PROGRAM.**

14          Section 19 of the Richard B. Russell National School  
15          Lunch Act (42 U.S.C. 1769a) is amended—

16                 (1) in the section heading, by striking  
17                 “**FRESH**”;

18                 (2) in subsection (a), by striking “fresh”;

19                 (3) in subsection (b), by striking “fresh”; and

20                 (4) in subsection (e), by striking “fresh”.

21 **SEC. 304. ADDITIONAL AUTHORITY FOR PURCHASE OF**  
22           **FRESH FRUITS, VEGETABLES, AND OTHER**  
23           **SPECIALTY FOOD CROPS.**

24          Section 10603 of the Farm Security and Rural In-  
25          vestment Act of 2002 (7 U.S.C. 612c-4) is amended—

1           (1) in subsection (b), by striking “2012” and  
2 inserting “2016”;

3           (2) by redesignating subsection (c) as sub-  
4 section (d); and

5           (3) by inserting after subsection (b) the fol-  
6 lowing:

7           “(c) PILOT GRANT PROGRAM FOR PURCHASE OF  
8 FRESH FRUITS AND VEGETABLES.—

9           “(1) IN GENERAL.—Using amounts made avail-  
10 able to carry out subsection (b), the Secretary of Ag-  
11 riculture shall conduct a pilot program under which  
12 the Secretary will give not more than five partici-  
13 pating States the option of receiving a grant in an  
14 amount equal to the value of the commodities that  
15 the participating State would otherwise receive  
16 under this section for each of fiscal years 2014  
17 through 2016.

18           “(2) USE OF GRANT FUNDS.—A participating  
19 State receiving a grant under this subsection may  
20 use the grant funds solely to purchase fresh fruits  
21 and vegetables for distribution to schools and service  
22 institutions in the State that participate in the food  
23 service programs under the Richard B. Russell Na-  
24 tional School Lunch Act (42 U.S.C. 1751 et seq.)

1 and the Child Nutrition Act of 1966 (42 U.S.C.  
2 1771 et seq.).

3 “(3) SELECTION OF PARTICIPATING STATES.—  
4 The Secretary shall select participating States from  
5 applications submitted by the States.

6 “(4) REPORTING REQUIREMENTS.—

7 “(A) SCHOOL AND SERVICE INSTITUTION  
8 REQUIREMENT.—Schools and service institu-  
9 tions in a participating State shall keep records  
10 of purchases of fresh fruits and vegetables  
11 made using the grant funds and report such  
12 records to the State.

13 “(B) STATE REQUIREMENT.—Each par-  
14 ticipating State shall submit to the Secretary a  
15 report on the success of the pilot program in  
16 the State, including information on—

17 “(i) the amount and value of each  
18 type of fresh fruit and vegetable purchased  
19 by the State; and

20 “(ii) the benefit provided by such pur-  
21 chases in conducting the school food serv-  
22 ice in the State, including meeting school  
23 meal requirements.”.



1 **SEC. 305. ENCOURAGING LOCALLY AND REGIONALLY**  
2 **GROWN AND RAISED FOOD.**

3 (a) **COMMODITY PURCHASE STREAMLINING.**—The  
4 Secretary may permit each school food authority with a  
5 low annual commodity entitlement value, as determined by  
6 the Secretary, to elect to substitute locally and regionally  
7 grown and raised food for the authority's allotment, in  
8 whole or in part, of commodity assistance for the school  
9 meal programs under the Richard B. Russell National  
10 School Lunch Act (42 U.S.C. 1751 et seq.) and the Child  
11 Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), if—

12 (1) the election is requested by the school food  
13 authority;

14 (2) the Secretary determines that the election  
15 will reduce State and Federal administrative costs;  
16 and

17 (3) the election will provide the school food au-  
18 thority with greater flexibility to purchase locally  
19 and regionally grown and raised foods.

20 (b) **FARM-TO-SCHOOL DEMONSTRATION PRO-**  
21 **GRAMS.**—

22 (1) **IN GENERAL.**—The Secretary may establish  
23 farm-to-school demonstration programs under which  
24 school food authorities, agricultural producers pro-  
25 ducing for local and regional markets, and other  
26 farm-to-school stakeholders will collaborate with the

1 Agriculture Marketing Service to, on a cost neutral  
2 basis, source food for the school meal programs  
3 under the Richard B. Russell National School Lunch  
4 Act (42 U.S.C. 1751 et seq.) and the Child Nutri-  
5 tion Act of 1966 (42 U.S.C. 1771 et seq.) from local  
6 farmers and ranchers in lieu of the commodity as-  
7 sistance provided to the school food authorities for  
8 the school meal programs.

9 (2) REQUIREMENTS.—

10 (A) IN GENERAL.—Each demonstration  
11 program carried out under this subsection  
12 shall—

13 (i) facilitate and increase the purchase  
14 of unprocessed and minimally processed lo-  
15 cally and regionally grown and raised agri-  
16 cultural products to be served under the  
17 school meal programs;

18 (ii) test methods to improve procure-  
19 ment, transportation, and meal preparation  
20 processes for the school meal programs;

21 (iii) assess whether administrative  
22 costs can be saved through increased  
23 school food authority flexibility to source  
24 locally and regionally produced foods for  
25 the school meal programs; and

1                   (iv) undertake rigorous evaluation and  
2                   share information about results of the  
3                   demonstration program, including cost sav-  
4                   ings, with the Secretary, other school food  
5                   authorities, agricultural producers pro-  
6                   ducing for the local and regional market,  
7                   and the general public.

8                   (B) PLANS.—In order to be selected to  
9                   carry out a demonstration program under this  
10                  subsection, a school food authority shall submit  
11                  to the Secretary a plan at such time and in  
12                  such manner as the Secretary may require, and  
13                  containing information with respect to the re-  
14                  quirements described in clauses (i) through (iv)  
15                  of subparagraph (A).

16                  (3) TECHNICAL ASSISTANCE.—The Secretary  
17                  shall provide technical assistance to demonstration  
18                  program participants to assist such participants to  
19                  acquire bids from potential vendors in a timely and  
20                  cost-effective manner.

21                  (4) LENGTH.—The Secretary shall determine  
22                  the appropriate length of time for each demonstra-  
23                  tion program under this subsection.

24                  (5) COORDINATION.—The Secretary shall co-  
25                  ordinate among relevant agencies of the Department

1 of Agriculture and non-governmental organizations  
2 with appropriate expertise to facilitate the provision  
3 of training and technical assistance necessary to suc-  
4 cessfully carry out demonstration programs under  
5 this subsection.

6 (6) NUMBER.—Subject to the availability of  
7 funds to carry out this subsection, the Secretary  
8 shall select at least 10 demonstration programs to  
9 be carried out under this subsection.

10 (7) DIVERSITY AND BALANCE.—In selecting  
11 demonstration programs to be carried out under this  
12 subsection, the Secretary shall, to the maximum ex-  
13 tent practicable, ensure—

14 (A) geographical diversity;

15 (B) that at least half of the demonstration  
16 programs are completed in collaboration with  
17 school food authorities with small annual com-  
18 modity entitlements, as determined by the Sec-  
19 retary;

20 (C) that at least half of the demonstration  
21 programs are completed in rural or tribal com-  
22 munities;

23 (D) equitable treatment of school food au-  
24 thorities with a high percentage of students eli-

1           gible for free or reduced price lunches, as deter-  
2           mined by the Secretary; and

3                   (E) that at least one of the demonstration  
4           programs is completed on a military installation  
5           as defined in section 2687(e)(1) of title 10,  
6           United States Code.

7   **SEC. 306. REVIEW OF PUBLIC HEALTH BENEFITS OF WHITE**  
8                   **POTATOES.**

9           The Secretary shall conduct a review of the economic  
10          and public health benefits of white potatoes on low-income  
11          families who are determined to be at nutritional risk. Not  
12          later than 1 year after the date of the enactment of this  
13          Act, the Secretary shall report the findings of this review  
14          to the Committee on Agriculture of the House of Rep-  
15          resentatives and the Committee on Agriculture, Nutrition,  
16          and Forestry of the Senate.

17   **SEC. 307. HEALTHY FOOD FINANCING INITIATIVE.**

18          (a) IN GENERAL.—Subtitle D of title II of the De-  
19          partment of Agriculture Reorganization Act of 1994 (7  
20          U.S.C. 6951 et seq.) is amended by adding at the end  
21          the following:

22    **“SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.**

23          “(a) PURPOSE.—The purpose of this section is to en-  
24          hance the authorities of the Secretary to support efforts  
25          to provide access to healthy food by establishing an initia-

1 tive to improve access to healthy foods in underserved  
2 areas, to create and preserve quality jobs, and to revitalize  
3 low-income communities by providing loans and grants to  
4 eligible fresh, healthy food retailers to overcome the higher  
5 costs and initial barriers to entry in underserved areas.

6 “(b) DEFINITIONS.—In this section:

7 “(1) COMMUNITY DEVELOPMENT FINANCIAL IN-  
8 STITUTION.—The term ‘community development fi-  
9 nancial institution’ has the meaning given the term  
10 in section 103 of the Community Development  
11 Banking and Financial Institutions Act of 1994 (12  
12 U.S.C. 4702).

13 “(2) INITIATIVE.—The term ‘Initiative’ means  
14 the Healthy Food Financing Initiative established  
15 under subsection (c)(1).

16 “(3) NATIONAL FUND MANAGER.—The term  
17 ‘national fund manager’ means a community devel-  
18 opment financial institution that is—

19 “(A) in existence on the date of enactment  
20 of this section; and

21 “(B) certified by the Community Develop-  
22 ment Financial Institution Fund of the Depart-  
23 ment of Treasury to manage the Initiative for  
24 purposes of—

25 “(i) raising private capital;

1                   “(ii) providing financial and technical  
2                   assistance to partnerships; and

3                   “(iii) funding eligible projects to at-  
4                   tract fresh, healthy food retailers to under-  
5                   served areas, in accordance with this sec-  
6                   tion.

7                   “(4) PARTNERSHIP.—The term ‘partnership’  
8                   means a regional, State, or local public-private part-  
9                   nership that—

10                   “(A) is organized to improve access to  
11                   fresh, healthy foods;

12                   “(B) provides financial and technical as-  
13                   sistance to eligible projects; and

14                   “(C) meets such other criteria as the Sec-  
15                   retary may establish.

16                   “(5) PERISHABLE FOOD.—The term ‘perishable  
17                   food’ means a staple food that is fresh, refrigerated,  
18                   or frozen.

19                   “(6) QUALITY JOB.—The term ‘quality job’  
20                   means a job that provides wages and other benefits  
21                   comparable to, or better than, similar positions in  
22                   existing businesses of similar size in similar local  
23                   economies.

24                   “(7) STAPLE FOOD.—

1           “(A) IN GENERAL.—The term ‘staple food’  
2 means food that is a basic dietary item.

3           “(B) INCLUSIONS.—The term ‘staple food’  
4 includes—

5                   “(i) bread;

6                   “(ii) flour;

7                   “(iii) fruits;

8                   “(iv) vegetables; and

9                   “(v) meat.

10          “(c) INITIATIVE.—

11               “(1) ESTABLISHMENT.—The Secretary shall es-  
12 tablish an initiative to achieve the purpose described  
13 in subsection (a) in accordance with this subsection.

14               “(2) IMPLEMENTATION.—

15                   “(A) IN GENERAL.—

16                           “(i) IN GENERAL.—In carrying out  
17 the Initiative, the Secretary shall provide  
18 funding to entities with eligible projects, as  
19 described in subparagraph (B), subject to  
20 the priorities described in subparagraph  
21 (C).

22                           “(ii) USE OF FUNDS.—Funds pro-  
23 vided to an entity pursuant to clause (i)  
24 shall be used—



1           “(I) to create revolving loan pools  
2           of capital or other products to provide  
3           loans to finance eligible projects or  
4           partnerships;

5           “(II) to provide grants for eligi-  
6           ble projects or partnerships;

7           “(III) to provide technical assist-  
8           ance to funded projects and entities  
9           seeking Initiative funding; and

10          “(IV) to cover administrative ex-  
11          penses of the national fund manager  
12          in an amount not to exceed 10 per-  
13          cent of the Federal funds provided.

14          “(B) ELIGIBLE PROJECTS.—Subject to the  
15          approval of the Secretary, the national fund  
16          manager shall establish eligibility criteria for  
17          projects under the Initiative, which shall include  
18          the existence or planned execution of agree-  
19          ments—

20               “(i) to expand or preserve the avail-  
21               ability of staple foods in underserved areas  
22               with moderate- and low-income populations  
23               by maintaining or increasing the number  
24               of retail outlets that offer an assortment of  
25               perishable food and staple food items, as

1 determined by the Secretary, in those  
2 areas; and

3 “(ii) to accept benefits under the sup-  
4 plemental nutrition assistance program es-  
5 tablished under the Food and Nutrition  
6 Act of 2008 (7 U.S.C. 2011 et seq.).

7 “(C) PRIORITIES.—In carrying out the Ini-  
8 tiative, priority shall be given to projects that—

9 “(i) are located in severely distressed  
10 low-income communities, as defined by the  
11 Community Development Financial Insti-  
12 tutions Fund of the Department of Treas-  
13 ury; and

14 “(ii) include 1 or more of the fol-  
15 lowing characteristics:

16 “(I) The project will create or re-  
17 tain quality jobs for low-income resi-  
18 dents in the community.

19 “(II) The project supports re-  
20 gional food systems and locally grown  
21 foods, to the maximum extent prac-  
22 ticable.

23 “(III) In areas served by public  
24 transit, the project is accessible by  
25 public transit.

1                   “(IV) The project involves  
2 women- or minority-owned businesses.

3                   “(V) The project receives funding  
4 from other sources, including other  
5 Federal agencies.

6                   “(VI) The project otherwise ad-  
7 vances the purpose of this section, as  
8 determined by the Secretary.

9           “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to the Secretary to carry  
11 out this section \$125,000,000, to remain available until  
12 expended.”.

13           (b) CONFORMING AMENDMENT.—Section 296(b) of  
14 the Department of Agriculture Reorganization Act of  
15 1994 (7 U.S.C. 7014(b)) is amended—

16                   (1) in paragraph (6) by striking “or” at the  
17 end;

18                   (2) in paragraph (7) by striking the period at  
19 the end and inserting “; or”; and

20                   (3) by adding at the end the following:

21                   “(8) the authority of the Secretary to establish  
22 and carry out the Health Food Financing Initiative  
23 under section 242.”.

1 **SEC. 308. REVIEW OF SOLE-SOURCE CONTRACTS IN FED-**  
2 **ERAL NUTRITION PROGRAMS.**

3 The Secretary shall conduct an evaluation of sole-  
4 source contracts in Federal nutrition programs, and the  
5 effect such contracts have on program participation, pro-  
6 gram goals, nonprogram consumers, retailers, and free  
7 market dynamics. Not later than 1 year after the date of  
8 the enactment of this Act, the Secretary shall report the  
9 findings of this review to the Committee on Agriculture  
10 of the House of Representatives and the Committee on  
11 Agriculture, Nutrition, and Forestry of the Senate.

12 **SEC. 309. PURCHASE OF HALAL AND KOSHER FOOD FOR**  
13 **EMERGENCY FOOD ASSISTANCE PROGRAM.**

14 Section 202 of the Emergency Food Assistance Act  
15 of 1983 (7 U.S.C. 7502) is amended by adding at the end  
16 the following:

17 “(h) KOSHER AND HALAL FOOD.—As soon as prac-  
18 ticable after the date of enactment of this subsection, the  
19 Secretary shall finalize and implement a plan—

20 “(1) to increase the purchase of Kosher and  
21 Halal food from food manufacturers with a Kosher  
22 or Halal certification to carry out the program es-  
23 tablished under this Act if the Kosher and Halal  
24 food purchased is cost neutral as compared to food  
25 that is not from food manufacturers with a Kosher  
26 or Halal certification; and

1           “(2) to modify the labeling of the commodities  
2           list used to carry out the program in a manner that  
3           enables Kosher and Halal food bank operators to  
4           identify which commodities to obtain from local food  
5           banks.”.

○